



1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Township of
Sandwich West

MR. POISSON.

(PRIVATE BILL)

BILL

An Act respecting the Township of Sandwich West

Preamble.

WHEREAS the corporation of the township of Sandwich West has by its petition represented that it is desirable that its by-law bearing number 891 as set out in schedule A¹ hereto should be validated and confirmed; and whereas the said corporation of the township of Sandwich West has represented that it is desirable that the agreement entered into between it, the said corporation of the township of Sandwich West and the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway, as set out in schedule "B" hereto, be confirmed; and whereas the said corporation of the township of Sandwich West has further represented that differences have arisen between the corporation of the township of Sandwich West and the New York Central Railroad Company in regard to the assessment of the lands and structures thereon of the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway, and in regard to an application made by the said corporation of the township of Sandwich West for widening of three subways located at Dougall Road, where same intersects the right-of-way of the said New York Central Railroad Company; and whereas the corporation of the township of Sandwich West has further represented that the difficulties which have arisen between it, the said corporation of the township of Sandwich West and the New York Central Railroad Company have been settled, and an agreement has been entered into between the said corporation of the township of Sandwich West and the New York Central Railroad Company, as set out in schedule "B" hereto, and it is desirable to confirm and validate the said by-law number 891 and the said agreement; and whereas the said corporation has by its petition prayed for an Act to be passed for such purpose; and whereas subject to the provisions of this Act, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Sandwich West Act, 1930.*

By-law 891
of Township
of Sandwich
West
confirmed.

2. By-law number 891 of the corporation of the township of Sandwich West as set forth in schedule "A" to this Act is

hereby confirmed and declared to be legal, valid and binding, and the agreement set forth in schedule "B" to this Act is also confirmed and declared to be legal, valid and binding, and shall in all respects have the same force and effect as though the same were expressly embodied in this Act.

Amended
assessment
roll for 1930.

3. The assessment roll of the corporation of the township of Sandwich West for the year 1930 shall be amended by the clerk of the corporation with respect to the assessment of the said company so as to carry into effect the provisions of the said agreement and of this Act in that behalf.

Commence-
ment of Act,

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

CORPORATION OF THE TOWNSHIP OF SANDWICH WEST

BY-LAW NUMBER 891

A By-law to authorize the execution of an Agreement between the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway and the Corporation of the Township of Sandwich West, and to fix the assessment of the said New York Central Railroad Company as sub-lessee of the Canada Southern Railway, in the Township of Sandwich West, for a period of fifteen years.

Whereas the Canada Southern Railway is the owner of two hundred and forty-seven (247) acres of land, more or less, in the Township of Sandwich West, together with structures, superstructures, rails, ties, poles and other property thereon, all of which said lands and properties thereon, are leased to the New York Central Railroad Company;

And whereas difficulties have arisen between the Township and the New York Central Railroad Company in respect of the assessment of the lands of the Canada Southern Railway and the structures and buildings thereon;

And whereas the Corporation of the Township of Sandwich West has made application to the Board of Railway Commissioners for Canada to have the three subways under the railway tracks on the Dougall Road, widened to double their present capacity.

And whereas the Corporation of the Township of Sandwich West and the New York Central Railroad Company have carried on negotiations for the purpose of settling their difficulties, and the terms of a proposed Agreement have been settled and are contained in the Agreement hereunto annexed;

Now therefore the Municipal Council of the Corporation of the Township of Sandwich West enacts as follows:

1. That the entering into the proposed Agreement hereunto annexed and marked Schedule "A" is hereby approved and authorized.

2. That the Reeve and Clerk be and they are hereby authorized and directed to sign the said Agreement and to affix to it the Corporate seal of the Corporation.

3. The assessment of the lands owned by the Canada Southern Railway and sub-let to and operated by the New York Central Railroad Company, situated within the limits of the Township of Sandwich West, comprising 247 acres more or less, is hereby fixed at the following amounts, for the following years—for the years 1930 to 1934, both inclusive, at \$400.00 per acre; for the years 1935 to 1939, both inclusive, at \$600.00 per acre; and for the years 1940 to 1944, both inclusive, at \$900.00 per acre.

4. That the assessment of all buildings, structures, sub-structures or renewals and substitutions thereof now on the lands of the Canada Southern Railway, which are subject to assessment under the provisions of the Assessment Act, shall be fixed at \$25,000.00 for a period of fifteen years, commencing in the year 1930 and expiring in the year 1944.

5. That the fixed assessment of \$25,000.00 shall not include buildings on the lands of the Canada Southern Railway, now leased to and occupied by the Empire State Ice Company, nor does it include any new buildings erected by the Company on the Railway lands, which are not renewals or substitutions of existing buildings, and should such new buildings,

structures or sub-structures liable to assessment be erected, the Township agrees to continue the assessment of such buildings at their assessable value for the unexpired period of this Agreement.

6. This By-law shall not come into force and effect until ratified by the Legislative Assembly of the Province of Ontario.

Passed this 22nd day of February, A.D. 1930.

[SEAL]
Corporation Township of
Sandwich West.

ANTHONY A. MARENTETTE,
Reeve.

HARRY E. BONDY,
Clerk.

SCHEDULE "B"

MEMORANDUM OF AGREEMENT made in duplicate the 19th day of February,
A.D. 1930.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF SANDWICH WEST,
hereinafter called "The Township"

of the First Part

—AND—

THE NEW YORK CENTRAL RAILROAD COMPANY, as Sub-Lessee
of the Canada Southern Railway, hereinafter called "The
"Company,"

of the Second Part

Whereas the Canada Southern Railway Company owns 247 acres (more or less) of land in the Township of Sandwich West, together with structures, super-structures, rails, ties, poles and other property thereon, all of which are leased to the Company, who pay the taxes thereon, and differences of opinion have arisen between the Township and the Company with reference to the assessment and the taxation of this property;

And whereas a Provincial Highway known as the Dougall Road crosses the said lands and passes under the tracks of the Company in the Township of Sandwich West by means of three subways, which were constructed in accordance with the terms of an agreement entered into between the Township and the Canada Southern Railway, dated 9th December, 1905, as varied by an Order number 4016, of the Board of Railway Commissioners for Canada, dated 5th May, 1906;

And whereas for valuable consideration, His Majesty The King, in the right of the Province of Ontario as represented by the Minister of Public Works and Highways, for the Province of Ontario, by agreement dated 11th February, 1927, took over the maintenance and drainage of the said subways for a period of five years from the 19th October, 1925;

And whereas the Township now desires to have the said subways widened and has requested the Company to consent to an Order being made by the Board of Railway Commissioners for Canada directing that the said subways be widened, and further that one-half of the cost of construction be borne by the Company;

And whereas the Company is willing to accede to the Township's request upon the following conditions, that is to say:—(1) That the Township fix the assessment of all the railway property in the Township of Sandwich West for a period of fifteen years. (2) That the Township relieve the Company for all time to come from any obligation to maintain the roadways through the said subways and to drain the same, notwithstanding anything contained in the said agreement between His Majesty The King and the Canada Southern Railway Company, dated 11th February, 1927;

And whereas the Township has agreed to pass a By-law fixing the assessment as aforesaid, and to apply to the Legislative Assembly of the Province of Ontario for an Act to confirm and validate the same, and the Company has agreed that upon such Act receiving the Royal Assent to file with the Board of Railway Commissioners for Canada its consent to an Order being issued directing the widening of the said subways as hereinafter provided;

Now therefore this Agreement witnesseth that for and in consideration of the premises and the performance and observance of the stipulations, covenants and agreements hereinafter contained, the Township and the

Company for itself, its successors and assigns, hereby covenant and agree one with the other as follows:—

1. That the Township shall pass a By-law fixing the assessment of all lands and buildings of the Canada Southern Railway in the Township of Sandwich West as follows:—(a) For the years 1930, 1931, 1932, 1933, and 1934 at \$400.00 per acre; (b) For the years 1935, 1936, 1937, 1938 and 1939 at \$600.00 per acre; (c) For the years 1940, 1941, 1942, 1943 and 1944 at \$900.00 per acre; (d) That the assessment of all buildings, structures, sub-structures, or renewals and substitutions thereof now on the lands of the Canada Southern Railway, which are subject to assessment under the provisions of the Assessment Act, shall be fixed at \$25,000.00 for a period of fifteen years, commencing in the year 1930 and expiring in the year 1944; (e) That the fixed assessment of \$25,000.00 shall not include buildings on the lands of the Canada Southern Railway now leased to and occupied by the Empire State Ice Company, nor does it include any new buildings erected by the Company on the railway lands which are not renewals or substitutions of existing buildings, and should such new buildings, structures, or sub-structures liable to assessment be erected, the Township hereby agrees to fix the assessment of such buildings, at their assessable value, for the unexpired period of this Agreement.

2. That the Township hereby agrees to apply to the Legislative Assembly of the Province of Ontario for an Act confirming and validating the said By-law and this Agreement, and the Company agrees upon such Act receiving the Royal Assent to file with the Board of Railway Commissioners for Canada a consent to an Order being issued directing the widening of the said subways so as to give two clear roadways each of a width of thirty feet, between supports; providing, however, that the Company is not called upon to pay more than one-half the construction cost.

3. That notwithstanding anything contained in Agreement bearing date 9th December, 1905, between the Corporation of the Township of Sandwich West and the Canada Southern Railway Company, it is hereby understood and agreed by and between the parties hereto that the Company is not now, nor shall it be at any future time, liable for the maintenance of the roadways through the said subways, or for the drainage of the said subways when reconstructed.

4. That the Company agrees to pay to the Corporation of Sandwich West one-half the cost of the application to the Legislative Assembly of the Province of Ontario for the Act confirming and validating the said By-law and Agreement, providing the cost payable by the Company shall not exceed \$500.00.

5. That this Agreement shall come into force and effect on the day upon which the Act receives the Royal Assent.

In witness whereof the Corporation of the Township of Sandwich West, and the New York Central Railroad Company have hereunto affixed their corporate seals, attested thereto by the hands of their proper officers in that behalf.

SIGNED, SEALED AND
DELIVERED

in the presence of

THE CORPORATION OF THE TOWNSHIP OF
SANDWICH WEST,

By ANTHONY A. MARENTETTE,
Reeve.
HARRY E. BONDY,
Clerk.

SEAL

THE NEW YORK CENTRAL RAILROAD
COMPANY,

By J. M. O'MAHONEY,
P. E. CROWLEY.

SEAL

CORPORATION OF THE TOWNSHIP OF SANDWICH WEST

BY-LAW NUMBER 890

A By-law to repeal By-law number 884 passed on the 15th day of January, A.D. 1930.

Whereas the Municipal Council of the Corporation of the Township of Sandwich West passed its By-law bearing number 884 on the 15th day of January, 1930, and it is now deemed advisable to repeal the said By-law;

Now therefore the Corporation of the Township of Sandwich West enacts as follows:

1. By-law number 884 passed on the 15th day of January, A.D. 1930, is hereby repealed.

Passed this 22nd day of February, 1930.

ANTHONY A. MARENTETTE, *Recve.*
HARRY E. BONDY, *Clerk.*

BILL.

An Act respecting the Township of
Sandwich West.

1st Reading

February 18th, 1930

2nd Reading

3rd Reading

MR. POISSON.

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Township of
Sandwich West

MR. POISSON.

No. 29.

1930.

BILL

An Act respecting the Township of Sandwich West.

Preamble.

WHEREAS the corporation of the township of Sandwich West has by its petition represented that it is desirable that its by-law bearing number 891 as set out in schedule "A" hereto should be validated and confirmed; and whereas the said corporation of the township of Sandwich West has represented that it is desirable that the agreement entered into between it, the said corporation of the township of Sandwich West and the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway, as set out in schedule "B" hereto, be confirmed; and whereas the said corporation of the township of Sandwich West has further represented that differences have arisen between the corporation of the township of Sandwich West and the New York Central Railroad Company in regard to the assessment of the lands and structures thereon of the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway, and in regard to an application made by the said corporation of the township of Sandwich West for widening of three subways located at Dougall Road, where same intersects the right-of-way of the said New York Central Railroad Company; and whereas the corporation of the township of Sandwich West has further represented that the difficulties which have arisen between it, the said corporation of the township of Sandwich West and the New York Central Railroad Company have been settled, and an agreement has been entered into between the said corporation of the township of Sandwich West and the New York Central Railroad Company, as set out in schedule "B" hereto, and it is desirable to confirm and validate the said by-law number 891 and the said agreement; and whereas the said corporation has by its petition prayed for an Act to be passed for such purpose; and whereas subject to the provisions of this Act, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Sandwich West Act, 1930*.

By-law 891
of Township
of Sandwich
West
confirmed.

2. By-law number 891 of the corporation of the township of Sandwich West as set forth in schedule "A" to this Act is

hereby confirmed and declared to be legal, valid and binding, and the agreement set forth in schedule "B" to this Act is also confirmed and declared to be legal, valid and binding, and shall in all respects have the same force and effect as though the same were expressly embodied in this Act.

3. The assessment roll of the corporation of the township of Sandwich West for the year 1930 shall be amended by the clerk of the corporation with respect to the assessment of the said company so as to carry into effect the provisions of the said agreement and of this Act in that behalf. ^{Amendment of assessment roll for 1930.}

4. This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act,}

SCHEDULE "A"

CORPORATION OF THE TOWNSHIP OF SANDWICH WEST

BY-LAW NUMBER 891

A By-law to authorize the execution of an Agreement between the New York Central Railroad Company, as sub-lessee of the Canada Southern Railway and the Corporation of the Township of Sandwich West, and to fix the assessment of the said New York Central Railroad Company as sub-lessee of the Canada Southern Railway, in the Township of Sandwich West, for a period of fifteen years.

Whereas the Canada Southern Railway is the owner of two hundred and forty-seven (247) acres of land, more or less, in the Township of Sandwich West, together with structures, superstructures, rails, ties, poles and other property thereon, all of which said lands and properties thereon, are leased to the New York Central Railroad Company;

And whereas difficulties have arisen between the Township and the New York Central Railroad Company in respect of the assessment of the lands of the Canada Southern Railway and the structures and buildings thereon;

And whereas the Corporation of the Township of Sandwich West has made application to the Board of Railway Commissioners for Canada to have the three subways under the railway tracks on the Dougall Road, widened to double their present capacity.

And whereas the Corporation of the Township of Sandwich West and the New York Central Railroad Company have carried on negotiations for the purpose of settling their difficulties, and the terms of a proposed Agreement have been settled and are contained in the Agreement hereunto annexed;

Now therefore the Municipal Council of the Corporation of the Township of Sandwich West enacts as follows:

1. That the entering into the proposed Agreement hereunto annexed and marked Schedule "A" is hereby approved and authorized.

2. That the Reeve and Clerk be and they are hereby authorized and directed to sign the said Agreement and to affix to it the Corporate seal of the Corporation.

3. The assessment of the lands owned by the Canada Southern Railway and sub-let to and operated by the New York Central Railroad Company, situated within the limits of the Township of Sandwich West, comprising 247 acres more or less, is hereby fixed at the following amounts, for the following years—for the years 1930 to 1934, both inclusive, at \$400.00 per acre; for the years 1935 to 1939, both inclusive, at \$600.00 per acre; and for the years 1940 to 1944, both inclusive, at \$900.00 per acre.

4. That the assessment of all buildings, structures, sub-structures or renewals and substitutions thereof now on the lands of the Canada Southern Railway, which are subject to assessment under the provisions of the Assessment Act, shall be fixed at \$25,000.00 for a period of fifteen years, commencing in the year 1930 and expiring in the year 1944.

5. That the fixed assessment of \$25,000.00 shall not include buildings on the lands of the Canada Southern Railway, now leased to and occupied by the Empire State Ice Company, nor does it include any new buildings erected by the Company on the Railway lands, which are not renewals or substitutions of existing buildings, and should such new buildings,

structures or sub-structures liable to assessment be erected, the Township agrees to continue the assessment of such buildings at their assessable value for the unexpired period of this Agreement.

6. This By-law shall not come into force and effect until ratified by the Legislative Assembly of the Province of Ontario.

Passed this 22nd day of February, A.D. 1930.

[SEAL]

Corporation Township of
Sandwich West.

ANTHONY A. MARENTETTE,
Reeve.

HARRY E. BONDY,
Clerk.

SCHEDULE "B"

MEMORANDUM OF AGREEMENT made in duplicate the 19th day of February, A.D. 1930.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF SANDWICH WEST,
hereinafter called "The Township"

—AND—

of the First Part

THE NEW YORK CENTRAL RAILROAD COMPANY, as Sub-Lessee
of the Canada Southern Railway, hereinafter called "The
Company,"

of the Second Part

Whereas the Canada Southern Railway Company owns 247 acres (more or less) of land in the Township of Sandwich West, together with structures, super-structures, rails, ties, poles and other property thereon, all of which are leased to the Company, who pay the taxes thereon, and differences of opinion have arisen between the Township and the Company with reference to the assessment and the taxation of this property;

And whereas a Provincial Highway known as the Dougall Road crosses the said lands and passes under the tracks of the Company in the Township of Sandwich West by means of three subways, which were constructed in accordance with the terms of an agreement entered into between the Township and the Canada Southern Railway, dated 9th December, 1905, as varied by an Order number 4016, of the Board of Railway Commissioners for Canada, dated 5th May, 1906;

And whereas for valuable consideration, His Majesty The King, in the right of the Province of Ontario as represented by the Minister of Public Works and Highways for the Province of Ontario, by agreement dated 11th February, 1927, took over the maintenance and drainage of the said subways for a period of five years from the 19th October, 1925;

And whereas the Township now desires to have the said subways widened and has requested the Company to consent to an Order being made by the Board of Railway Commissioners for Canada directing that the said subways be widened, and further that one-half of the cost of construction be borne by the Company;

And whereas the Company is willing to accede to the Township's request upon the following conditions, that is to say:—(1) That the Township fix the assessment of all the railway property in the Township of Sandwich West for a period of fifteen years. (2) That the Township relieve the Company for all time to come from any obligation to maintain the roadways through the said subways and to drain the same, notwithstanding anything contained in the said agreement between His Majesty The King and the Canada Southern Railway Company, dated 11th February, 1927;

And whereas the Township has agreed to pass a By-law fixing the assessment as aforesaid, and to apply to the Legislative Assembly of the Province of Ontario for an Act to confirm and validate the same, and the Company has agreed that upon such Act receiving the Royal Assent to file with the Board of Railway Commissioners for Canada its consent to an Order being issued directing the widening of the said subways as hereinafter provided;

Now therefore this Agreement witnesseth that for and in consideration of the premises and the performance and observance of the stipulations, covenants and agreements hereinafter contained, the Township and the

Company for itself, its successors and assigns, hereby covenant and agree one with the other as follows:—

1. That the Township shall pass a By-law fixing the assessment of all lands and buildings of the Canada Southern Railway in the Township of Sandwich West as follows:—(a) For the years 1930, 1931, 1932, 1933, and 1934 at \$400.00 per acre; (b) For the years 1935, 1936, 1937, 1938 and 1939 at \$600.00 per acre; (c) For the years 1940, 1941, 1942, 1943 and 1944 at \$900.00 per acre; (d) That the assessment of all buildings, structures, sub-structures, or renewals and substitutions thereof now on the lands of the Canada Southern Railway, which are subject to assessment under the provisions of the Assessment Act, shall be fixed at \$25,000.00 for a period of fifteen years, commencing in the year 1930 and expiring in the year 1944; (e) That the fixed assessment of \$25,000.00 shall not include buildings on the lands of the Canada Southern Railway now leased to and occupied by the Empire State Ice Company, nor does it include any new buildings erected by the Company on the railway lands which are not renewals or substitutions of existing buildings, and should such new buildings, structures, or sub-structures liable to assessment be erected, the Township hereby agrees to fix the assessment of such buildings, at their assessable value, for the unexpired period of this Agreement.

2. That the Township hereby agrees to apply to the Legislative Assembly of the Province of Ontario for an Act confirming and validating the said By-law and this Agreement, and the Company agrees upon such Act receiving the Royal Assent to file with the Board of Railway Commissioners for Canada a consent to an Order being issued directing the widening of the said subways so as to give two clear roadways each of a width of thirty feet, between supports; providing, however, that the Company is not called upon to pay more than one-half the construction cost.

3. That notwithstanding anything contained in Agreement bearing date 9th December, 1905, between the Corporation of the Township of Sandwich West and the Canada Southern Railway Company, it is hereby understood and agreed by and between the parties hereto that the Company is not now, nor shall it be at any future time, liable for the maintenance of the roadways through the said subways, or for the drainage of the said subways when reconstructed.

4. That the Company agrees to pay to the Corporation of Sandwich West one-half the cost of the application to the Legislative Assembly of the Province of Ontario for the Act confirming and validating the said By-law and Agreement, providing the cost payable by the Company shall not exceed \$500.00.

5. That this Agreement shall come into force and effect on the day upon which the Act receives the Royal Assent.

In witness whereof the Corporation of the Township of Sandwich West, and the New York Central Railroad Company have hereunto affixed their corporate seals, attested thereto by the hands of their proper officers in that behalf.

SIGNED, SEALED AND
DELIVERED

in the presence of

THE CORPORATION OF THE TOWNSHIP OF
SANDWICH WEST,

By ANTHONY A. MARENTETTE,
HARRY E. BONDY,
Reeve.
Clerk.

SEAL

THE NEW YORK CENTRAL RAILROAD
COMPANY,

By J. M. O'MAHONEY,
P. E. CROWLEY.

SEAL

BILL.

An Act respecting the Township of
Sandwich West.

1st Reading

February 18th, 1930

2nd Reading

March 21st, 1930

3rd Reading

March 25th, 1930

Mr. POISSON.

No. 30

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Fort William.

MR. SPENCE

(PRIVATE BILL)

No. 30.

1930.

BILL

An Act respecting the City of Fort William.

Preamble.

WHEREAS the corporation of the city of Fort William has by petition represented that by-law number 3054 of the said city, set out in schedule "A" hereto, was duly published, as required by law, in a newspaper published at Fort William, prior to the date of voting thereon; that the said by-law number 3054 was submitted to the electors of the said city entitled to vote thereon on the 6th day of January, 1930, when out of a total of 4,613 votes entitled to be polled in respect thereof, 1,244 votes were polled in favour thereof and 495 against; that the said by-law number 3054 was finally passed by the council of the said city on the 28th day of January, 1930; and that no application has been made to quash the said by-law, nor is any action pending, wherein the validity of the said by-law is or may be called in question; and whereas the said corporation has by petition further represented that its rateable property as appears by its last revised assessment roll is \$29,812,640, and its present debenture debt is \$6,239,761, made up as follows: Street Railway debenture debt, \$1,238,000; Waterworks debenture debt, \$1,643,000; Electric Light debenture debt, \$446,500; Telephone debenture debt, \$300,000; General debenture debt, \$1,305,011; Schools. debenture debt, \$1,307,250, of which no part of the principal or interest is in arrear and for the payment of which a sinking fund of \$2,777,670.85 has been provided; and whereas the said corporation has by petition prayed for special legislation in respect of the above and other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Fort William Act, 1930.*

By-law 3054,
\$31,500 for
street paving
confirmed.

2. By-law No. 3054 of the said city, intituled "A By-law to raise the sum of \$31,500 by way of debentures for the

purpose of paying the cost of certain street paving" as set out in schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said city corporation and the ratepayers thereof.

Tax sale
and deeds
confirmed.

3.—(1) All sales of land in the city of Fort William made prior to the 1st day of January, 1929, and which purport to be made by the corporation of the said city for arrears of taxes and costs in respect of lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser or his assigns, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purposed to be sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns and of all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold.

Municipality
as purchaser.

(2) Subsection 1 of this section shall extend and apply to cases where the city or any person or persons in trust for it, or on its behalf, became the purchaser of lands at any such tax sale.

Pending
litigation
not affected.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

Assessment
and col-
lectors' rolls
confirmed.

4. All assessment rolls of the corporation of the city of Fort William heretofore finally revised, all collectors' rolls of the corporation of the city of Fort William heretofore returned by the collectors thereof, and all collectors' returns of the corporation of the city of Fort William heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto (including failure to distrain) and notwithstanding anything contained in any Act or Acts to the contrary.

Commence-
ment of Act.

5. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1930.

SCHEDULE "A"

CITY OF FORT WILLIAM

BY-LAW No. 3054

A By-law to raise the sum of \$31,500 by way of Debentures for the purpose of paying the cost of certain street paving.

Whereas the Council is of the opinion that City should bear the cost of the following paving done during the year 1929, namely:—

May Street from Dease Street to William Street, cost.....	\$36,095 00
Less Northern Development Branch's proportion.....	11,045 00
	<u>\$25,050 00</u>
Syndicate Avenue from Duncan to Walsh Streets (not including Street Railway Right-of-way portion).....	4,151 00
Intersection of Victoria Avenue and Syndicate Avenue (including Street Railway Grand Union).....	2,016 13
	<u>\$31,217 13</u>
Additional amount allowed for issuing and sale of debentures, etc.....	282 87
	<u>\$31,500 00</u>
Total.....	\$31,500 00

And whereas the said sum of \$31,500.00 is the amount of the debt intended to be created hereby

And whereas the amount of the whole rateable property of the said City of Fort William according to the last revised Assessment Roll is \$29,812,640.

And whereas the existing Debenture Debt of the said City, exclusive of local improvement Debentures, amounts to \$6,239,761, made up as follows:

Street Railway Debenture Debt.....	\$1,238,000
Waterworks Debenture Debt.....	1,643,000
Electric Light Debenture Debt.....	446,500
Telephone Debenture Debt.....	300,000
General Debenture Debt.....	1,305,011
School Debenture Debt.....	1,307,250

of which no part of the principal or interest is in arrear and for the payment of which a sinking fund of \$2,777,670.85 has been provided;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said Corporation to the amount of \$31,500, bearing interest at five and one-half ($5\frac{1}{2}$) per centum per annum.

And whereas it will require the sum of \$1,732.50 to be raised annually for a period of fifteen years (the currency of the Debentures to be issued under and by virtue of this By-law) to pay the interest on the said debt, and the sum of \$1,693.65 to be raised annually during the said period for the payment of the said debt intended to be created by this By-law, such last mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes payable, making in all the sum of \$3,426.15 to be raised annually as aforesaid for the payment of the said debt and interest.

And whereas it will require the sum of \$3,426.15 to be raised annually, for a period of fifteen years by a special rate on the rateable property hereinafter mentioned in the said City for the payment of the said debt and interest aforesaid;

Therefore, the Council of the Corporation of the City of Fort William enacts as follows:

1. It shall and may be lawful for the said Corporation and it is hereby empowered to borrow the said sum of \$31,500 on the credit of it, the said Corporation, for the purposes aforesaid and to issue Debentures of the said Corporation to the amount of \$31,500, either in currency or in Sterling money, in sums of not less than \$100 Canadian currency or £20 Sterling, each payable within fifteen years from the date of issuing such Debentures and to bear interest at five and one-half ($5\frac{1}{2}\%$) per centum per annum payable half-yearly.

2. The said Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed and may bear any date within such two years, and shall be signed by the Mayor and Treasurer and sealed with the Seal of the Corporation.

3. During the said period of fifteen years (the currency of the Debentures to be issued hereunder) there shall be raised and levied annually upon the whole rateable property in the said City in addition to all other rates, levies and assessments, the sum of \$1,732.50 to pay the interest on the said Debentures and also the further sum of \$1,693.65 as a sinking fund for the payment of the said debt at the maturity thereof, making in all the sum of \$3,426.15 to be raised annually as aforesaid.

4. The said Debentures shall have attached thereto coupons for the payment of the interest thereon. The signatures of the Treasurer upon the interest coupons may be printed, lithographed or engraved and the said Debentures as to principal and interest, shall be payable at the office of the City Treasurer, Fort William, Canada; Bank of Montreal, Montreal, Canada; Toronto, Canada; Bank of Montreal, New York City; and Bank of Montreal, London, England.

5. Every Debenture to be issued hereunder shall contain a provision in the following words: "This Debenture or any interest therein, shall not, after a certificate of ownership has been endorsed thereon by the Treasurer of this Municipal Corporation, be transferable except by entry by the Treasurer or his Deputy, in the Debenture Registry Book of the said Corporation, at the said City of Fort William," or to like effect.

6. This By-law shall come into force on the day of the final passing thereof.

Given under the Corporate Seal of The Corporation of the City of Fort William as witnessed by the hands of its Mayor and Clerk, this 28th day of January, A.D. 1930.

N. B. DARRELL,
Mayor.

[SEAL] A. McNAUGHTON,
Clerk.

BILL.

An Act respecting the City of Fort William.

1st Reading

2nd Reading

3rd Reading

MR. SPENCE

(PRIVATE BILL).

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Fort William.

MR. SPENCE

No. 30.

1930.

BILL

An Act respecting the City of Fort William.

Preamble.

WHEREAS the corporation of the city of Fort William has by petition represented that by-law number 3054 of the said city, set out in schedule "A" hereto, was duly published, as required by law, in a newspaper published at Fort William, prior to the date of voting thereon; that the said by-law number 3054 was submitted to the electors of the said city entitled to vote thereon on the 6th day of January, 1930, when out of a total of 4,613 votes entitled to be polled in respect thereof, 1,244 votes were polled in favour thereof and 495 against; that the said by-law number 3054 was finally passed by the council of the said city on the 28th day of January, 1930; and that no application has been made to quash the said by-law, nor is any action pending, wherein the validity of the said by-law is or may be called in question; and whereas the said corporation has by petition further represented that its rateable property as appears by its last revised assessment roll is \$29,812,640, and its present debenture debt is \$6,239,761, made up as follows: Street Railway debenture debt, \$1,238,000; Waterworks debenture debt, \$1,643,000; Electric Light debenture debt, \$446,500; Telephone debenture debt, \$300,000; General debenture debt, \$1,305,011; Schools debenture debt, \$1,307,250, of which no part of the principal or interest is in arrear and for the payment of which a sinking fund of \$2,777,670.85 has been provided; and whereas the said corporation has by petition prayed for special legislation in respect of the above and other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Fort William Act, 1930*.

By-law 3054,
\$31,500 for
street paving
confirmed.

2. By-law No. 3054 of the said city, intituled "A By-law to raise the sum of \$31,500 by way of debentures for the

purpose of paying the cost of certain street paving" as set out in schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said city corporation and the ratepayers thereof.

3.—(1) All sales of land in the city of Fort William made prior to the 1st day of January, 1929, and which purport to be made by the corporation of the said city for arrears of taxes and costs in respect of lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser or his assigns, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purposed to be sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns and of all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold. ^{Tax sale and deeds confirmed.}

(2) Subsection 1 of this section shall extend and apply to cases where the city or any person or persons in trust for it, or on its behalf, became the purchaser of lands at any such tax sale. ^{Municipality as purchaser.}

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed. ^{Pending litigation not affected.}

4. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1930. ^{Commencement of Act.}

SCHEDULE "A" CITY OF FORT WILLIAM

BY-LAW No. 3054

A By-law to raise the sum of \$31,500 by way of Debentures for the purpose of paying the cost of certain street paving.

Whereas the Council is of the opinion that City should bear the cost of the following paving done during the year 1929, namely:—

May Street from Dease Street to William Street, cost.....	\$36,095 00
Less Northern Development Branch's proportion.....	11,045 00
	<hr/>
	\$25,050 00
Syndicate Avenue from Duncan to Walsh Streets (not including Street Railway Right-of-way portion).....	4,151 00
Intersection of Victoria Avenue and Syndicate Avenue (including Street Railway Grand Union).....	2,016 13
	<hr/>
	\$31,217 13
Additional amount allowed for issuing and sale of debentures, etc.....	282 87
	<hr/>
Total.....	\$31,500 00

And whereas the said sum of \$31,500.00 is the amount of the debt intended to be created hereby

And whereas the amount of the whole rateable property of the said City of Fort William according to the last revised Assessment Roll is \$29,812,640.

And whereas the existing Debenture Debt of the said City, exclusive of local improvement Debentures, amounts to \$6,239,761, made up as follows:

Street Railway Debenture Debt.....	\$1,238,000
Waterworks Debenture Debt.....	1,643,000
Electric Light Debenture Debt.....	446,500
Telephone Debenture Debt.....	300,000
General Debenture Debt.....	1,305,011
School Debenture Debt.....	1,307,250

of which no part of the principal or interest is in arrear and for the payment of which a sinking fund of \$2,777,670.85 has been provided;

And whereas in order to provide for the said debt it is expedient to issue debentures of the said Corporation to the amount of \$31,500, bearing interest at five and one-half (5½) per centum per annum.

And whereas it will require the sum of \$1,732.50 to be raised annually for a period of fifteen years (the currency of the Debentures to be issued under and by virtue of this By-law) to pay the interest on the said debt, and the sum of \$1,693.65 to be raised annually during the said period for the payment of the said debt intended to be created by this By-law, such last mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes payable, making in all the sum of \$3,426.15 to be raised annually as aforesaid for the payment of the said debt and interest.

And whereas it will require the sum of \$3,426.15 to be raised annually for a period of fifteen years by a special rate on the rateable property hereinafter mentioned in the said City for the payment of the said debt and interest aforesaid;

Therefore, the Council of the Corporation of the City of Fort William enacts as follows:

1. It shall and may be lawful for the said Corporation and it is hereby empowered to borrow the said sum of \$31,500 on the credit of it, the said Corporation, for the purposes aforesaid and to issue Debentures of the said Corporation to the amount of \$31,500, either in currency or in Sterling money, in sums of not less than \$100 Canadian currency or £20 Sterling, each payable within fifteen years from the date of issuing such Debentures and to bear interest at five and one-half ($5\frac{1}{2}\%$) per centum per annum payable half-yearly.

2. The said Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed and may bear any date within such two years, and shall be signed by the Mayor and Treasurer and sealed with the Seal of the Corporation.

3. During the said period of fifteen years (the currency of the Debentures to be issued hereunder) there shall be raised and levied annually upon the whole rateable property in the said City in addition to all other rates, levies and assessments, the sum of \$1,732.50 to pay the interest on the said Debentures and also the further sum of \$1,693.65 as a sinking fund for the payment of the said debt at the maturity thereof, making in all the sum of \$3,426.15 to be raised annually as aforesaid.

4. The said Debentures shall have attached thereto coupons for the payment of the interest thereon. The signatures of the Treasurer upon the interest coupons may be printed, lithographed or engraved and the said Debentures as to principal and interest, shall be payable at the office of the City Treasurer, Fort William, Canada; Bank of Montreal, Montreal, Canada; Toronto, Canada; Bank of Montreal, New York City; and Bank of Montreal, London, England.

5. Every Debenture to be issued hereunder shall contain a provision in the following words: "This Debenture or any interest therein, shall not, after a certificate of ownership has been endorsed thereon by the Treasurer of this Municipal Corporation, be transferable except by entry by the Treasurer or his Deputy, in the Debenture Registry Book of the said Corporation, at the said City of Fort William," or to like effect.

6. This By-law shall come into force on the day of the final passing thereof.

Given under the Corporate Seal of The Corporation of the City of Fort William as witnessed by the hands of its Mayor and Clerk, this 28th day of January, A.D. 1930.

N. B. DARRELL,
Mayor.

A. McNAUGHTON,
Clerk.

[SEAL]

BILL.

An Act respecting the City of Fort William.

1st Reading

February 18th, 1930

2nd Reading

February 28th, 1930

3rd Reading

March 12th, 1930

MR. SPENCE

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to incorporate the Timber Products Railway.

MR. IRELAND

(PRIVATE BILL)

No. 31.

1930.

BILL

An Act to incorporate the Timber Products Railway.

Preamble.

WHEREAS Oliver B. Martin, General Manager, Timber Products Company, Limited; Harold L. McLurg, Sales Manager; B. Bloomfield Jordan, Barrister-at-Law; Pauline R. O'Connor, Secretary, and Olive J. O'Connor, Secretary, all of the town of Trenton, in the county of Hastings, in the Province of Ontario, have petitioned for an Act to incorporate a company for the purpose of constructing and maintaining a logging and freight railway, solely, to be operated by steam or electricity, or partly by one and partly by the other, from a point connecting with the Canadian National Railways at Gilmour Siding, in the county of Hastings, and from thence in an easterly direction over and through the timber limits operated by the Timber Products Company, Limited, in the townships of Tudor, Cashel, Abinger, Anglesea and Effingham; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation.

1. The said Oliver B. Martin, Harold L. McLurg, B. Bloomfield Jordan, Pauline R. O'Connor and Olive J. O'Connor, together with such other persons, firms and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic, by the name of "Timber Products Railway," hereafter called the "company."

Location of line.

2. The company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway to be operated by steam or electricity, or partly by one and partly by the other, from a point connecting with the Canadian National Railways at Gilmour Siding, in the county of Hastings, and from thence in an easterly direction over and through the timber limits operated by the Timber Products

Company, Limited, in the townships of Tudor and Cashel, in the county of Hastings, and in the townships of Abinger, Anglesea and Effingham, in the united counties of Lennox and Addington.

Head office. **3.** The head office of the company shall be in the town of Trenton, in the county of Hastings.

Provisional directors. **4.** The said Oliver B. Martin, Harold L. McLurg, B. Bloomfield Jordan, Pauline R. O'Connor and Olive J. O'Connor shall be the provisional directors of the company.

Number of directors. **5.** The board of directors of the company shall consist of not less than three and not more than five persons.

Capital stock. **6.** The capital stock of the company shall be two hundred thousand dollars.

Bonds, debentures. **7.** The company may issue bonds, debentures or other securities to the extent of \$15,000 per mile of railway constructed or under contract to be constructed.

Running arrangements with other railways. **8.** Subject to the provisions of *The Railway Act*, the company shall have power to make traffic or running arrangements with the Canadian National Railways, the Canadian Pacific Railway Company, or any other railway or transportation railway, upon such terms as may be agreed upon.

Application of Rev. Stat. c. 224. **9.** The provisions of *The Railway Act*, with the exception of sections 12; 68 to 79 inclusive; 92, subsections (2) to (8) inclusive; 93, 116, 117, 144, 145, 146, 147, 160, 161, 174, 197, 198, 199, 204, 210, 212, shall apply to the company and to the railway constructed, or to be constructed, by it.

Short title. **10.** This Act may be cited as *The Timber Products Railway Act, 1930*.

Commencement of Act. **11.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to incorporate the Timber
Products Railway.

1st Reading.

2nd Reading.

3rd Reading.

MR. IRELAND.

PRIVATE BILL.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to incorporate the Timber Products Railway.

MR. IRELAND

No. 31.

1930.

BILL

An Act to incorporate the Timber Products Railway.

Preamble.

WHEREAS Oliver B. Martin, General Manager, Timber Products Company, Limited; Harold L. McLurg, Sales Manager; B. Bloomfield Jordan, Barrister-at-Law; Pauline R. O'Connor, Secretary, and Olive J. O'Connor, Secretary, all of the town of Trenton, in the county of Hastings, in the Province of Ontario, have petitioned for an Act to incorporate a company for the purpose of constructing and maintaining a logging and freight railway, solely, to be operated by steam or electricity, or partly by one and partly by the other, from a point connecting with the Canadian National Railways at Gilmour Siding, in the county of Hastings, and from thence in an easterly direction over and through the timber limits operated by the Timber Products Company, Limited, in the townships of Tudor, Cashel, Abinger, Anglesea and Effingham; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation.

1. The said Oliver B. Martin, Harold L. McLurg, B. Bloomfield Jordan, Pauline R. O'Connor and Olive J. O'Connor, together with such other persons, firms and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic, by the name of "Timber Products Railway," hereafter called the "company."

Location of line.

2. The company is authorized and empowered to survey, lay out, construct, complete, equip and maintain a railway for logging and freight purposes only to be operated by steam or electricity, or partly by one and partly by the other, from a point connecting with the Canadian National Railways at Gilmour Siding, in the county of Hastings, and from thence in an easterly direction over and through the timber limits

operated by the Timber Products Company, Limited, in the townships of Tudor and Cashel, in the county of Hastings, and in the townships of Abinger, Anglesea and Effingham, in the united counties of Lennox and Addington.

3. The head office of the company shall be in the town of ^{Head office.} Trenton, in the county of Hastings.

4. The said Oliver B. Martin, Harold L. McLurg, B. ^{Provisional directors.} Bloomfield Jordan, Pauline R. O'Connor and Olive J. O'Connor shall be the provisional directors of the company.

5. The board of directors of the company shall consist of ^{Number of directors.} not less than three and not more than five persons.

6. The capital stock of the company shall be two hundred ^{Capital stock.} thousand dollars.

7. The company may issue bonds, debentures or other ^{Bonds, debentures.} securities to the extent of \$15,000 per mile of railway constructed or under contract to be constructed.

8. Subject to the provisions of *The Railway Act*, the ^{Running arrangements with other railways.} company shall have power to make traffic or running arrangements with the Canadian National Railways, the Canadian Pacific Railway Company, or any other railway or transportation railway, upon such terms as may be agreed upon. ^{Rev. Stat. c. 224.}

9. The provisions of *The Railway Act*, with the exception of ^{Application of Rev. Stat. c. 224.} sections 12; 68 to 79 inclusive; 92, subsections (2) to (8) inclusive; 93, 116, 117, 144, 145, 146, 147, 160, 161, 174, 197, 198, 199, 204, 210, 212, shall apply to the company and to the railway constructed, or to be constructed, by it.

10. This Act may be cited as *The Timber Products Railway Act, 1930.* ^{Short title.}

11. This Act shall come into force on the day upon which ^{Commencement of Act.} it receives the Royal Assent.

BILL.

An Act to incorporate the Timber
Products Railway.

1st Reading.

February 11th, 1930

2nd Reading.

March 25th, 1930

3rd Reading.

March 27th, 1930

MR. IRELAND.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Guelph

MR. MARTIN (Brantford)

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the City of Guelph.

Preamble.

WHEREAS the corporation of the city of Guelph has, by its petition, represented that it is desirable that the said corporation be authorized and empowered to take over and manage The Guelph General Hospital and all its assets as a municipal hospital and to pay and satisfy all debts and liabilities and provide for the future maintenance of the said hospital; and whereas The Guelph General Hospital was incorporated by chapter 111 of the Acts of the Parliament of the late Province of Canada passed in the 24th year of the reign of Her late Majesty Queen Victoria, which Act of incorporation has since been amended by an Act passed in the 39th year of the reign of Her late Majesty Queen Victoria, chaptered 53, and by an Act passed in the 7th year of the reign of His late Majesty King Edward VII, chaptered 119, and by an Act passed in the fifth year of the reign of His Majesty King George V, chaptered 88, and in pursuance of the provisions of the said Acts, The Guelph General Hospital has been established and maintained in the city of Guelph for many years as a public hospital, having in connection therewith a training school for nurses and also an isolation hospital, which latter was specially authorized by an Act passed in the second year of the reign of His Majesty King George V, chaptered 99; and whereas The Guelph Home for the Friendless was incorporated by an Act passed in the seventh year of the reign of His late Majesty King Edward VII, chaptered 119, and by the said Act it is provided that the board of directors of The Guelph General Hospital shall appoint six of its own members to form a board of trustees for the management of the said home and the said home was erected upon lands belonging to The Guelph General Hospital under the provisions of the above mentioned Act; and whereas the corporation of the city of Guelph has, by its petition, further prayed that it be authorized and empowered to engage, and if necessary, contract for the appointment of an industrial commissioner for the city of Guelph at such salary and upon such terms as the council of the said corporation

may deem expedient; and whereas the corporation of the city of Guelph has by its petition further prayed that it be authorized and empowered to add to the amount of all taxes due and unpaid from time to time, interest from the first day of May in the year following that in which such taxes are levied until such taxes are paid at the rate of six per cent. per annum; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Guelph General Hospital Act, 1930.*

Interpretation.

2. In this Act,—

- (a) "Commission" shall mean the commission to be appointed to manage the affairs of The Guelph General Hospital.
- (b) "Corporation" shall mean the corporation of the city of Guelph.
- (c) "Hospital" shall mean The Guelph General Hospital, including the Isolation Hospital and the Nurses' Home and Training School.
- (d) "Home" shall mean The Guelph Home for the Friendless.

Property of hospital vested in city.

3. The said hospital, and the property, real and personal, belonging thereto and the revenues, business and affairs thereof shall, upon the passing of this Act be vested in the corporation in fee simple, subject to the registered mortgage thereon and the corporation shall thenceforth hold, own and manage the same as and for a municipal hospital. The lands and premises so to be vested are those described in schedule "A" to this Act.

Liability of city for debts.

4. The corporation shall pay and satisfy all lawful debts and liabilities of The Guelph General Hospital and the amount of such debts and liabilities shall forthwith, after the passing of this Act, be fixed and ascertained by a joint audit to be conducted by the auditor of The Guelph General Hospital and by the treasurer of the city of Guelph.

Appointment of Commission to control and manage hospital.

5. The council of the corporation shall appoint a commission of seven persons which shall include the mayor of the

city of Guelph, for the time being, which said commission shall have the management and control of the said hospital and shall have power to appoint, engage and remove all officers, nurses, servants and other persons engaged in or about the said hospital. All the members of the said commission shall be residents of the city of Guelph and shall possess the property qualifications similar to those required for members of the council of the city of Guelph but no member of the said commission, except the mayor, shall be a member of the said council. In the first instance, of the six members of the said commission to be appointed as aforesaid, two shall be appointed for a term of three years, two for a term of two years and two for a term of one year and thereafter at the first meeting of the council of the said corporation in each year, the said council shall appoint two members of the said commission to fill the places of the retiring members. Members of the said commission, upon retirement, shall be eligible for reappointment. Four members of the said commission shall constitute a quorum for all purposes.

6. The said commission at its first meeting, and thereafter in each year, shall appoint a chairman and secretary. The said commission shall have power to make rules and regulations for the control and management of the said hospital and all matters pertaining thereto.

Assent of
council to
expenditure.

7.—(1) The said commission shall not undertake any expenditure in connection with the said hospital without first obtaining the authority by by-law or resolution of the council of the said corporation.

Special rate
for main-
tenance.

(2) The said corporation shall have power and authority, if it deems proper, to levy a special rate of taxation annually, or in any year or years hereafter, upon all the rateable property in the city of Guelph for the purpose of maintaining the said hospital, but such annual or special rate shall in no case exceed two mills on the dollar.

Payment of
members of
Commission.

8. The council of the said corporation shall have power, if it shall deem proper, to pay the members of the said commission, or any member thereof, such amount by way of salary or remuneration, as the said council may deem proper.

Control and
management
of Home by
Commission.

9. The said commission shall undertake the control and management of The Guelph Home for the Friendless, and for this purpose the said commission is hereby constituted a board of trustees for the said home. The said commission shall have the same power to make rules and regulations for the control and management of the said home as it has in respect of the said hospital and shall also have power to appoint such

persons or committees as the said commission shall deem proper to act with, or for the said commission in the control and management of the said home.

Appoint-
ment of
industrial
com-
missioner.

10. The said corporation is hereby authorized and empowered, if it deems necessary, to contract with any person as an industrial commissioner for the city of Guelph at such salary and for such term of years as the said council may from time to time deem expedient.

Adding
interest to
arrears of
taxes.

11. The treasurer of the corporation, or the collector, if the rolls are unreturned, shall add to the amount of all taxes due and unpaid, interest from the first day of May in the year following the year in which such taxes are levied until such taxes are paid, at the rate of six per cent. per annum on taxes due in respect of any parcel of land and at the rate of six per cent. per annum on all taxes due in respect of any business or income assessment and such interest shall form part of the taxes and shall be collected, irrespective of any percentage charge imposed under the provisions of section 111 of *The Assessment Act*.

Rev. Stat.,
c. 238.

1929, c. 102,
s. 7,
amended.

12. Section 7 of chapter 102 of the Acts passed in 1929 is hereby amended by striking out the figures "1924" where they occur and substituting therefor "1923."

Inconsistent
provisions
repealed.

13. All the provisions of any Act or Acts inconsistent with the provisions of this Act are hereby repealed.

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of lands and premise-situate, lying and being in the City of Guelph, in the County of Wellington and being described as follows:—

Firstly: Lots numbers thirty-four (34) thirty-five (35) thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40) and forty-one (41) in George McKenzie Stewart's Survey of parts lots nine (9) and ten (10) in the first range, division "F," formerly in the Township, now in the City of Guelph, according to Registered Plan No. 133.

Secondly: Lots numbers fifty-four (54), fifty-five (55), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64) and the east half of Lot Number sixty-five (65), and sixty-seven (67) in Mitchell's Survey in the City of Guelph according to a plan thereof made by T. W. Cooper, P.L.S., filed in the Registry Office at Guelph and numbered 221.

Thirdly: Being composed of parts of lots numbers thirteen (13) and fourteen (14) in the first range of Division "F," formerly in the Township of Guelph now in the City of Guelph described as follows:—

Commencing where a post has been planted at the northerly boundary of Delhi Street in the direction of South 45 degrees East at a distance of 29 chains and 96 links more or less from a point where the said northerly boundary of Delhi Street intersects the northwesterly boundary of the said City of Guelph;

Thence North 45 degrees East, 8 chains and 3 links and two-thirds of a link, more or less to a stone monument;

Thence North 45 degrees west, 10 chains, 58 links more or less to a post;

Thence South 45 degrees west 8 chains, 2 links more or less to the said northerly boundary of Delhi Street;

Thence South 45 degrees East along the said northerly boundary of Delhi Street, 10 chains and 58 links more or less to the place of beginning, containing by admeasurement eight and one-half ($8\frac{1}{2}$) acres of land, be the same more or less.

Fourthly: All and any other lands, hereditaments and premises, situate in the said City of Guelph or in the said Township of Guelph, owned by the said Guelph General Hospital.

BILL.

An Act respecting the City of Guelph.

1st Reading

2nd Reading

3rd Reading

MR. MARTIN (Brantford).

(PRIVATE BILL).

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Guelph

MR. MARTIN (Brantford)

BILL

An Act respecting the City of Guelph.

Preamble.

WHEREAS the corporation of the city of Guelph has, by its petition, represented that it is desirable that the said corporation be authorized and empowered to take over and manage The Guelph General Hospital and all its assets as a municipal hospital and to pay and satisfy all debts and liabilities and provide for the future maintenance of the said hospital; and whereas The Guelph General Hospital was incorporated by chapter 111 of the Acts of the Parliament of the late Province of Canada passed in the 24th year of the reign of Her late Majesty Queen Victoria, which Act of incorporation has since been amended by an Act passed in the 39th year of the reign of Her late Majesty Queen Victoria, chaptered 53, and by an Act passed in the 7th year of the reign of His late Majesty King Edward VII, chaptered 119, and by an Act passed in the fifth year of the reign of His Majesty King George V, chaptered 88, and in pursuance of the provisions of the said Acts, The Guelph General Hospital has been established and maintained in the city of Guelph for many years as a public hospital, having in connection therewith a training school for nurses and also an isolation hospital, which latter was specially authorized by an Act passed in the second year of the reign of His Majesty King George V, chaptered 99; and whereas The Guelph Home for the Friendless was incorporated by an Act passed in the seventh year of the reign of His late Majesty King Edward VII, chaptered 119, and by the said Act it is provided that the board of directors of The Guelph General Hospital shall appoint six of its own members to form a board of trustees for the management of the said home and the said home was erected upon lands belonging to The Guelph General Hospital under the provisions of the above mentioned Act; and whereas the corporation of the city of Guelph has, by its petition, further prayed that it be authorized and empowered to engage, and if necessary, contract for the appointment of an industrial commissioner for the city of Guelph at such salary and upon such terms as the council of the said corporation

may deem expedient; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Guelph General Hospital Act, 1930*. Short title.

2. In this Act,—

Interpretation.

- (a) "Commission" shall mean the commission to be appointed to manage the affairs of The Guelph General Hospital.
- (b) "Corporation" shall mean the corporation of the city of Guelph.
- (c) "Hospital" shall mean The Guelph General Hospital, including the Isolation Hospital and the Nurses' Home and Training School.
- (d) "Home" shall mean The Guelph Home for the Friendless.

3. The said hospital, and the property, real and personal, belonging thereto and the revenues, business and affairs thereof shall, upon the passing of this Act be vested in the corporation in fee simple, subject to the registered mortgage thereon and the corporation shall thenceforth hold, own and manage the same as and for a municipal hospital. The lands and premises so to be vested are those described in schedule "A" to this Act. Property of hospital vested in city.

4. The corporation shall pay and satisfy all lawful debts and liabilities of The Guelph General Hospital and the amount of such debts and liabilities shall forthwith, after the passing of this Act, be fixed and ascertained by a joint audit to be conducted by the auditor of The Guelph General Hospital and by the treasurer of the city of Guelph. Liability of city for debts.

5. The council of the corporation shall appoint a commission of seven persons which shall include the mayor of the city of Guelph, for the time being, which said commission shall have the management and control of the said hospital and shall have power to appoint, engage and remove all officers, nurses, servants and other persons engaged in or about the said hospital. All the members of the said commission shall be residents of the city of Guelph and shall possess Appointment of Commission to control and manage hospital.

the property qualifications similar to those required for members of the council of the city of Guelph but no member of the said commission, except the mayor, shall be a member of the said council. In the first instance, of the six members of the said commission to be appointed as aforesaid, two shall be appointed for a term of three years, two for a term of two years and two for a term of one year and thereafter at the first meeting of the council of the said corporation in each year, the said council shall appoint two members of the said commission to fill the places of the retiring members. Members of the said commission, upon retirement, shall be eligible for reappointment. Four members of the said commission shall constitute a quorum for all purposes.

6. The said commission at its first meeting, and thereafter in each year, shall appoint a chairman and secretary. The said commission shall have power to make rules and regulations for the control and management of the said hospital and all matters pertaining thereto.

Assent of
council to
expenditure.

7.—(1) The said commission shall not undertake any expenditure in connection with the said hospital without first obtaining the authority by by-law or resolution of the council of the said corporation.

Special rate
for main-
tenance.

(2) The said corporation shall have power and authority, if it deems proper, to levy a special rate of taxation annually, or in any year or years hereafter, upon all the rateable property in the city of Guelph for the purpose of maintaining the said hospital, but such annual or special rate shall in no case exceed two mills on the dollar.

Payment of
members of
Commission.

8. The council of the said corporation shall have power, if it shall deem proper, to pay the members of the said commission, or any member thereof, such amount by way of salary or remuneration, as the said council may deem proper.

Control and
management
of Home by
Commission.

9. The said commission shall undertake the control and management of The Guelph Home for the Friendless, and for this purpose the said commission is hereby constituted a board of trustees for the said home. The said commission shall have the same power to make rules and regulations for the control and management of the said home as it has in respect of the said hospital and shall also have power to appoint such persons or committees as the said commission shall deem proper to act with, or for the said commission in the control and management of the said home.

Appoint-
ment of
industrial
com-
missioner.

10. The said corporation is hereby authorized and empowered, if it deems necessary, to contract with any person

as an industrial commissioner for the city of Guelph at such salary and for such term of years not exceeding five years, as the said council may from time to time deem expedient.

11. Section 7 of chapter 102 of the Acts passed in 1929 is ^{1929, c. 102,} hereby amended by striking out the figures "1924" where they ^{s. 7,} amended. occur and substituting therefor "1923."

12. This Act shall come into force on the day upon which ^{Commence-} it receives the Royal Assent. ^{ment of} Act.

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the City of Guelph, in the County of Wellings ton and being described as follows:—

Firstly: Lots numbers thirty-four (34) thirty-five (35) thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39), forty (40) and forty-one (41) in George McKenzie Stewart's Survey of parts lots nine (9) and ten (10) in the first range, division "F," formerly in the Township, now in the City of Guelph, according to Registered Plan No. 133.

Secondly: Lots numbers fifty-four (54), fifty-five (55), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64) and the east half of Lot Number sixty-five (65), and sixty-seven (67) in Mitchell's Survey in the City of Guelph according to a plan thereof made by T. W. Cooper, P.L.S., filed in the Registry Office at Guelph and numbered 221.

Thirdly: Being composed of parts of lots numbers thirteen (13) and fourteen (14) in the first range of Division "F," formerly in the Township of Guelph now in the City of Guelph described as follows:—

Commencing where a post has been planted at the northerly boundary of Delhi Street in the direction of South 45 degrees East at a distance of 29 chains and 96 links more or less from a point where the said northerly boundary of Delhi Street intersects the northwesterly boundary of the said City of Guelph;

Thence North 45 degrees East, 8 chains and 3 links and two-thirds of a link, more or less to a stone monument;

Thence North 45 degrees west, 10 chains, 58 links more or less to a post;

Thence South 45 degrees west 8 chains, 2 links more or less to the said northerly boundary of Delhi Street;

Thence South 45 degrees East along the said northerly boundary of Delhi Street, 10 chains and 58 links more or less to the place of beginning, containing by admeasurement eight and one-half ($8\frac{1}{2}$) acres of land, be the same more or less.

Fourthly: All and any other lands, hereditaments and premises, situate in the said City of Guelph or in the said Township of Guelph, owned by the said Guelph General Hospital.

BILL.

An Act respecting the City of Guelph.

1st Reading

February 18th, 1930

2nd Reading

February 26th, 1930

3rd Reading

March 19th, 1930

MR. MARTIN (Brantford).

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of London.

MR. MOORE

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 33.

1930.

BILL

An Act respecting the City of London.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1930*.

By-law
L.S.R.-1-20
and agree-
ment with
London St.
Railway,
confirmed.

2. By-law number L.S.R.-1-20 of the council of the corporation of the city of London, passed on the 6th day of January, 1930, amending by-law number 916 respecting The London Street Railway Company passed on the 21st day of May, 1895, and the agreement between the corporation of the city of London and The London Street Railway Company, bearing date the 1st day of February, 1930, which are set out in schedule "A." hereto annexed, are hereby confirmed and declared to be legal, valid and binding, in the same manner and to the same extent as if set out at length in this Act, and the provisions thereof were enacted in this Act; and the said corporation is hereby authorized and empowered to pass such other by-laws and enter into such other agreements and do all such other acts, matters and things as may be deemed necessary by the said corporation for the full and proper carrying out of the provisions of the said agreement, and where jurisdiction respecting any of the matters mentioned in the said agreement is now or may hereafter be vested in the police commissioners of the said city, or any other authority, such powers as may be necessary to enable the council of the said corporation to carry out the provisions of the said agreement shall be exercised by the council of the said corporation instead of the said commissioners or other authority.

Power to
repeal
By-law No.
L.S.R.-1-20.

3. If the said The London Street Railway Company shall, in the opinion of the council of the corporation of the city of London, at any time during the period of five years mentioned in said by-law number L.S.R.-1-20, fail or neglect to keep, observe, perform, or comply with any of the provisions of said by-law number 916 as heretofore amended and as amended by said by-law number L.S.R.-1-20, passed on the 6th day of January, 1930, the council of the said corporation may, under the provisions of said by-law number L.S.R.-1-20 repeal said by-law number L.S.R.-1-20 and immediately upon the passing of such repealing by-law, said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect, shall be revived and said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall be in full force and effect in all respects, in the same manner and to the same extent as if said by-law number L.S.R.-1-20 had not been passed, and in the event of the council of the said corporation not repealing said by-law number L.S.R.-1-20 as provided for by the fifteenth paragraph thereof, said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall at the end of the said period of five years be revived, and said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall be in full force and effect in all respects, in the same manner and to the same extent as if said by-law number L.S.R.-1-20 had not been passed.

Agreement
with C.N.R.,
confirmed.

4. The agreement between the corporation of the city of London and Canadian National Railway Company, bearing date the 6th day of January, 1930, which is set out in schedule "B." hereto annexed, is hereby ratified and confirmed, and the said parties are hereby empowered to carry out their respective obligations and privileges thereunder, and the said corporation is hereby authorized to pass the necessary by-laws for carrying out the terms and conditions of the said agreement.

Power as to
closing cer-
tain streets.

5. The corporation of the city of London may pass a by-law, or may from time to time pass by-laws, to stop up and close those portions of the streets mentioned in the said agreement set out in schedule "B." hereto annexed, and it shall not be necessary for the said corporation to observe in respect thereof the provisions or formalities prescribed by *The Municipal Act* relating to the stopping up of highways.

Rev. Stat.,
c. 233.

Power
to borrow
\$700,000 for
construction
of works
under agree-
ment with
C.N.R.

6. The corporation of the city of London may from time to time pass by-laws as the circumstances require to borrow, and may borrow, sums not exceeding in the whole \$700,000, and may issue debentures therefor for any period not exceeding thirty years from the respective times when the debentures are issued, and at such rate of interest not exceeding five per

centum per annum as the council of the said corporation may determine, to pay for the cost of the works mentioned in the said agreement set out in schedule "B." hereto annexed which, under the said agreement, shall become payable by the said corporation, without submitting the by-laws to the electors of the said city for their assent.

Power
to borrow
\$18,000 for
police
station.

7. The corporation of the city of London may pass a by-law to borrow and may borrow a sum not exceeding \$16,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine to provide moneys to pay for a portion of the cost of the erection of the new police station in the said city of London, without submitting the by-law to the electors of the said city for their assent.

1925, c. 95,
s. 3, repealed.

8. Section 3 of *The City of London Act, 1925*, is hereby repealed.

Composition
of council.

9. Notwithstanding anything in any special or other Act the council of the city of London shall at the next annual municipal election and thereafter be composed of a mayor and three aldermen for each ward of the said city who shall hold office for one year and until their successors are elected and a new council organized.

Formalities
prescribed
by Rev. Stat.
c. 233, not
to apply.

10. It shall not be necessary for the corporation of the city of London to observe, in respect of any of the by-laws mentioned in sections 6 and 7 hereof the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularity
in form not
to invalidate.

11. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence to any action brought against the corporation of the city of London for the recovery of the amount thereof or any part thereof or the interest thereon.

Commence-
ment of
Act.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

By-Law No. L. S. R.-1-20

To amend By-law No. 916 respecting "The London Street Railway Company" passed on the Twenty-first day of May, A.D. 1895.

Be it enacted by the Municipal Council of the Corporation of the City of London, as follows:

1. Section 10 of By-law No. 916, respecting The London Street Railway Company, passed on the Twenty-first day of May, A.D. 1895, is hereby repealed, and the following substituted therefor:

"10 (1) Whenever it shall be deemed expedient by the Corporation, or the Council thereof, under the provisions of *The Local Improvement Act*, or under any other act or authority, to pave or repave, whether with materials different from what are now in use or not, any street or portion of a street upon or along which the railway tracks of the Company, or any of them, are or shall be laid, the track allowance shall, at the same time that the paving or repaving is being done on the adjoining portions of the street, be paved by the Company with the like materials, or such other material as shall be approved of by the Council of the Corporation, and in the same manner as the adjoining portion of the said street is so paved or repaved, and to the satisfaction of the said Engineer, the Company furnishing the materials, and the specifications for all such paving or repaving to be done by the Company, including the foundations therefor, under the provisions of this subsection, shall be submitted to and approved of by the said Engineer before any of the said work is commenced by the Company, and the actual cost of such paving or repaving by the Company (save and except the cost of the necessary excavation and the foundations for the ties and rails of the Company up to the normal line of the paving which shall be done by the Company at their own expense and shall be paid for by the Company) shall be paid by the Corporation to the Company after the completion of the work to the satisfaction of the said Engineer, and within three months after the work had been paid for by the Company, and after the Corporation has received from the Company an itemized statement of the total actual cost, and after such itemized statement has been certified by the said Engineer to be correct and thereafter the track allowances shall be maintained and kept in repair to the satisfaction of the said Engineer by and at the expense of the Company, the Company furnishing the materials, and the Company shall be responsible for and make good to the Corporation all loss, damages, costs, charges and expenses which the Corporation may incur or be put to by reason of any failure of the Company to conform to the provisions of this subsection or any delay on the Company's part in so doing. Nothing in this subsection contained shall prejudice the right of the Corporation to have the track allowances on Richmond Street between Victoria Street and Huron Street and on Adelaide Street between Rattle Street and Oxford Street paved by, and at the expense of, the Company, and to the satisfaction of the said Engineer within nine months after this by-law takes effect, if it should take effect, and the Company shall be bound to pave the track allowances on the said portions of the said streets at their own expense within the said nine months, but, in the event of the pavement on York Street being completed in the year, A.D. 1929, this subsection shall apply to that pavement."

"(2) It shall be the duty of the Company whenever any street or portion of a street is to be so paved or repaved, to take up, and the Company shall take up, their tracks and substructures thereon if and when the said Engineer shall deem it necessary to do so, and relay the same according to the best modern practice and to the satisfaction of the said Engineer and at the expense of the Company."

2. Subsection (d) of Section 25 of the said By-law No. 916 is hereby repealed, and the following substituted therefor:

"(d) The Company may, on week days, charge and collect from every person on entering any of their cars and/or buses for a continuous journey of any distance on their railway and/or bus system, from any point thereon to any other point on a main or branch line and/or bus system, within the limits of the City of London as now existing or hereafter extended, a sum not exceeding seven cents, except for children under five years of age accompanied by a parent or other person having them in charge, such children to travel free; and shall sell tickets at the price of fifty cents for nine tickets, each ticket to entitle the holder to one continuous journey on the cars and/or buses as aforesaid, between the hour when the cars and/or buses commence running and 12 o'clock midnight, and shall also sell another class of tickets at the price of twenty-five cents for five tickets, the same to entitle the holder to one continuous journey on the cars and/or buses as aforesaid, between the hours of 6 a.m. and 8.45 a.m. and between the hours of 5 p.m. and 6.30 p.m., and shall also carry children between the ages of five and twelve years, for a cash fare of three cents and shall sell two children's tickets, good for children between the ages of five and twelve years, at the price of five cents, and shall also carry free of charge all police constables in uniform, and all city firemen in uniform or wearing badges when going to or returning from a fire, health and water inspectors, and city detectives wearing badges; and the Company shall grant transfers without any additional charge for both adults and children, from any point on their lines and/or bus system, to any other point on their lines and/or bus system, within the limits of the City of London, as now existing or hereafter extended, for a continuous journey, which is not a return trip, and shall from time to time make proper and sufficient arrangements, to the satisfaction of the said Engineer, for the purpose of such transfers. The fares set out in this section shall not apply to chartered or private cars and/or buses. No person, save as aforesaid, and save also employees in the service of the Company, shall be permitted to travel free upon any of the cars and/or buses of the Company. (The Council of the Corporation may, from time to time, by by-law, change the hours hereinbefore provided for, between which the said class of tickets at the price of twenty-five cents for five tickets may be used as hereinbefore provided, so long as such by-law does not provide for more than two hours and forty-five minutes in the morning and one hour and thirty minutes in the afternoon of each week day during which the said class of tickets at the price of twenty-five cents for five tickets may be used as aforesaid)."

"Provided always that the whole of the increased revenue which may be derived by the Company by reason of the increased fares which will be received in consequence of the enactment of this subsection, if and when this by-law takes effect, shall be expended on improvements to the Street Railway and/or bus system in such manner as may from time to time be directed by the Council of the Corporation of the City of London."

3. Subsection (h) of Section 25 of the said By-law No. 916 is hereby repealed and the following substituted therefor:

"(h) The Company shall not use or operate at any time more than twenty-two motor street cars in charge of one man, without the consent of the Council of the Corporation, and, save as aforesaid, there shall be not less than two men in charge of each motor street car, and not less than one man in charge of each trailer or other car, and not less than two men in charge of each motor street car used or operated within the limits of the City of London as now existing or hereafter extended, in connection with the Springbank line."

4. As the bridge now owned by the Corporation of the City of London (hereinafter called the Corporation) known as the Dundas Street Bridge, requires, in the opinion of the Council of the Corporation to be replaced or renewed, the Corporation may construct a new bridge so as to permit of one track of The London Street Railway Company (hereinafter called the Company) being placed in the centre thereof, or in such other place as the Engineer for the time being of the Corporation (hereinafter called the Engineer) shall deem advisable and, the Company shall when the said bridge is completed and ready for use, and before the same is used by the Company, enter into an agreement with the Corporation to pay to the Corporation a rental for the use of such bridge based on the additional

cost thereof to the Corporation caused by reason of the bridge being constructed so as to permit the Company's track to be laid thereon, and such agreement shall contain all the like terms and conditions as are contained in By-law No. 8371 of the City of London, passed on the twenty-fourth day of January, A.D. 1927, and the agreement respecting the Victoria Bridge, made between the Corporation and the Company, bearing date the Twenty-sixth day of January, A.D. 1927, except that the City shall pay for the paving of that portion of the track allowances which is above the normal line of the paving of the rest of the bridge, and the rental to be paid by the Company to the Corporation for the use of the said bridge shall be calculated and fixed on the same basis as the rental of the Victoria Bridge was calculated when the rental provided for by the said by-law and agreement was determined, and shall be payable in like manner as the payment of the rental for the use of the said Victoria Bridge is payable under the said by-law and agreement, and the Company shall be bound, when the said bridge is being constructed, to place their track upon the said bridge in the centre thereof, or in such place as the Engineer shall deem advisable, and to grant and convey to the Corporation in consideration of the sum of one dollar that part of lot number 25 on the north side of Dundas Street in the said City of London, conveyed to the Company by deed bearing date the first day of December, A.D. 1921, and registered in the Registry Office for the Registry Division of the City of London, as Number 23236, and the rights-of-way granted to the Company by the said deed.

5. When the bridge now owned by the Corporation, known as the York Street bridge, requires, in the opinion of the Council of the Corporation to be replaced or renewed, the Corporation may construct a new bridge so as to permit of one track of the Company being placed in the centre thereof, or in such other place as the Engineer shall deem advisable, and the Company shall, when the said bridge is completed and ready for use, and before the same is used by the Company, enter into an agreement with the Corporation to pay to the Corporation a rental for the use of such bridge based on the additional cost thereof to the Corporation caused by reason of the bridge being constructed so as to permit the Company's track to be laid thereon, and such agreement shall contain all the like terms and conditions as are contained in the said By-law No. 8371 and the said Agreement respecting the Victoria bridge, made between the Corporation and the Company bearing date the twenty-sixth day of January, A.D. 1927, except that the City shall pay for the paving of that portion of the track allowances which is above the normal line of the paving of the rest of the bridge, and the rental to be paid by the Company to the Corporation for the use of the said bridge shall be calculated and fixed on the same basis as the rental of the Victoria Bridge was calculated when the rental provided for by the said by-law and agreement was determined, and shall be payable in like manner as the payment of the rental for the use of the said Victoria bridge is payable under the said by-law and agreement, and the Company shall be bound, when the said bridge is being constructed, to place their track upon the said bridge in the centre thereof or in such place as the Engineer shall deem advisable and to abandon and give up the rights (if any) of the Company to the use of the York Street Bridge now erected.

6. Permission is hereby given to the Company to discontinue the service on the lines known as the Ottawa or South Belt Line, the North Belt Line, and that part of what is known as the Normal Route which lies north of Dundas Street and East of Richmond Street, and also that part of what is known as the Richmond Route which lies south of Dundas Street.

7. The Company shall establish, maintain and operate a bus system, as follows:

A bus system, with not less than a five-minute service during the hours of 6.15 a.m. to 9.20 a.m. 11.30 a.m. to 1.20 p.m. and 4.30 p.m. to 8.20 p.m., and not less than a ten-minute service during the other hours of the day and up to midnight, starting on the Hamilton Road at East Street and running along the Hamilton Road to Rectory Street, then south on Rectory Street to Nelson Street, then west on Nelson Street to Colborne Street, then north on Colborne Street to York Street, then west on York Street to Clarence Street, then north on Clarence Street to Dundas Street, then

turning to the right on Dundas Street and running along Dundas Street to Wellington Street, then turning to the right on Wellington Street and running along Wellington Street to York Street, then east on York Street, and returning to the starting place on the Hamilton Road by the same route.

A bus system, with not less than a six-minute service during the hours of 6.15 a.m. to 9.20 a.m., 11.30 a.m. to 1.20 p.m. and 4.30 p.m. to 8.20 p.m., and not less than ten-minute service during the other hours of the day and up to midnight, starting on Clarence Street at the intersection of the north side of Dundas Street and Clarence Street, then north along Clarence Street to Dufferin Avenue then east on Dufferin Avenue to Colborne Street, then north on Colborne Street to Victoria Street, and returning, then south on Colborne Street to Dufferin Avenue, then west on Dufferin Avenue to Wellington Street, then south on Wellington Street to Dundas Street and then west on Dundas Street to Clarence Street, the place of commencement.

A bus system, with not less than a ten-minute service, starting in Chelsea Green, at the corner of Terrace Street, then north on Adelaide Street to Grosvenor Street, then west on Grosvenor Street to William Street, and then returning by the same route.

A bus system with not less than an eight-minute service, starting on Emery Street at the intersection of Emery Street and the Wharncliffe Road, then east on Emery Street to Ridout Street, then north on Ridout Street to Dundas Street, then east on Dundas Street to Clarence Street, then south on Clarence Street to York Street, then west on York Street and Stanley Street to the Wharncliffe Road, and then along the Wharncliffe Road to Emery Street, the place of commencement.

A bus system, with not less than a ten-minute service, starting on High Street, at Emery Street, then north on High Street and Wellington Street to York Street, then west on York Street to Clarence Street and along Clarence to Dundas Street, then east on Dundas Street to Wellington Street, and then southerly to the place of commencement, and

A bus system with not less than a twelve-minute service, starting on Quebec Street, at the intersection of Dundas Street and Quebec Street, then north on Quebec Street to Oxford Street, and then turning and returning to Dundas Street, by the same route.

8. The Company shall, before operating any buses, under the authority of this by-law, obtain from the Board of Commissioners of Police of the City of London a license for each bus and shall, at all times, comply with all terms and provisions of the By-law, relating to the owners of motor omnibuses for hire within the city and the drivers thereof, passed by the said Board of Commissioners of Police on the twenty-first day of November, A.D. 1922, and any amendments thereto, and/or any other by-law which may from time to time be passed by the said Board of Commissioners of Police, relating to owners of motor omnibuses used for hire within the city, including the taking out of an insurance policy or policies against accidents for liability to the public and passengers, and for property damage, as provided for by such by-law or by-laws and/or any amendments thereto.

9. All buses used or operated under the authority of this by-law, shall, at all times, be of the most modern design and of a type and seating capacity satisfactory to the Engineer, and shall be kept at all times in a good state of repair to the satisfaction of the Engineer.

10. The speed and service necessary on each of the said bus lines shall be determined from time to time and may be altered, changed or varied by the order of the Engineer, approved by the Council of the Corporation, and all buses shall be run at such intervals as the Engineer, with the approval of the Council of the Corporation, may from time to time determine, and the Council of the Corporation may from time to time, as they may see fit, by a vote of two-thirds of all the members of the Council of the Corporation, change or vary any of the routes provided for by paragraph seven hereof, and the Company shall thereafter run their buses according

to the route or routes so changed or varied by the Council of the Corporation, and the Company shall not of their own motion make any change in any of the said routes without the consent in writing of the Council of the Corporation.

11. The Company shall have, and may exercise, during the continuance of this by-law, an exclusive franchise to construct, complete, maintain and operate within the limits of the City of London as now existing or hereinafter extended, a transportation system on the Company's present lines and any extensions or additions thereto, it being the intention that the Company shall not be subject to competition in their business of transporting passengers between points in the City of London, whether such competition be in the nature of motor buses or otherwise. Provided always that this paragraph shall not apply to the operation of motor buses, or other vehicles, running between any point within the City of London and towns and/or villages, whether incorporated or unincorporated, outside the limits of the City of London, so long as such motor buses or other vehicles do not convey passengers from one point within the limits of the City of London to another point therein. Provided also that this paragraph shall not apply to the operation of motor buses or other vehicles during any and all times that the Company is prevented from regularly operating or neglects or fails to regularly operate in accordance with the provisions of said By-law No. 916 and this by-law all or any of their cars and/or buses on all or any of their lines for more than one day. Provided also that this paragraph shall not apply at any time to cabs or taxi cabs, or to vehicles licensed by the Department of Public Highways or vehicles over which the Council of the Corporation has no control.

12. The Council of the Corporation shall pass such by-laws as the Company may request, and as the Council of the Corporation may lawfully pass, to enable the Company to enforce the provisions of such by-law, but the Council of the Corporation shall not be obliged to enforce any such provisions. Provided also, and notwithstanding anything in this paragraph contained, during any and all times that the Company is prevented from regularly operating, or neglects or fails to regularly operate, in accordance with the provisions of said By-law No. 916 and this by-law, all or any of their cars and/or buses on all or any of their lines, for more than one day, the Council of the Corporation, or the Board of Commissioners of Police of the City of London, may authorize the operation of motor buses or other vehicles as public carriers during such time as the Company does not regularly operate, or neglects or fails to regularly operate in accordance with the provisions of said By-law No. 916, and this by-law, all or any of their cars and/or buses on all or any of their lines for more than one day.

13. The Corporation shall have the right, at any time and from time to time, during the continuance of this by-law, to have some one appointed at any time and from time to time, by the Council of the Corporation to examine at any time and from time to time, the books of accounts, vouchers, records, documents, balance sheets and all other papers or documents relating to the affairs of the Company, and to take extracts therefrom.

14. The provisions of this by-law shall, if and when this By-law takes effect as hereinafter provided for, continue for five years only from the time when the said by-law takes effect, and no longer, but subject to earlier determination as provided for by the next succeeding paragraph hereof.

15. If the Company shall, in the opinion of the Council of the Corporation, at any time during the said period of five years fail or neglect to keep, observe, perform or comply with any of the provisions of the said By-law No. 916 as heretofore amended, and as amended by this by-law, the Council of the Corporation may repeal this by-law, and immediately upon the passing of such repealing by-law, the said By-law No. 916 as amended before this by-law takes effect, if it should take effect, and all the agreements, obligations, terms and conditions of or relating to the said By-law No. 916 as heretofore amended, shall immediately be revived and shall be in full force and effect in all respects in the same manner and to the same extent, as if this by-law had not been passed.

16. In the event of this by-law not being repealed, as provided for by the next preceding paragraph hereof, this by-law and the agreement hereinafter referred to, shall, at the expiration of the said period of five years from the time when this by-law takes effect, if it should take effect, immediately cease and be at an end, and the said By-law No. 916, as amended before this by-law takes effect, if it should take effect, and all the agreements, obligations, terms and conditions of the said By-law No. 916 as heretofore amended, shall immediately be revived and shall be in full force and effect in all respects in the same manner and to the same extent as if this by-law had not been passed.

17. The Corporation will, if this by-law receives the assent of the electors, as hereinafter provided for, join with the Company in applying to the Legislature of the Province of Ontario for legislation confirming and ratifying this by-law and the agreement to be entered into between the Corporation and the Company (referred to in the eighteenth paragraph of this by-law) and declaring the same to be valid and binding on the Company and the Corporation; all expenses in connection with the procuring of such legislation to be paid and borne by the Company. Provided that the Act of the Legislature so confirming and ratifying this by-law and the said agreement shall contain as a section thereof the words following, or to the like effect, that is to say:

"If the said Company shall, in the opinion of the Council of the Corporation, at any time during the said period of five years, fail or neglect to keep, observe, perform or comply with any of the provisions of said By-law Number 916 as heretofore amended and as amended by the said by-law (being By-law Numbered L.S.R.-1-20 passed on the sixth day of January, A.D. 1930) the Council of the Corporation may, under the provisions of said By-law Numbered L.S.R.-1-20 repeal said By-law Numbered L.S.R.-1-20 and immediately upon the passing of such repealing by-law, said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect, shall be revived, and the said By-law Number 916, as amended, before said By-law Numbered L.S.R.-1-20 takes effect, shall be in full force and effect in all respects, in the same manner, and to the same extent as if said By-law Numbered L.S.R.-1-20 had not been passed. In the event of the Council of the Corporation not repealing said By-law Numbered L.S.R.-1-20 as provided for by the fifteenth paragraph thereof, said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect shall, at the end of the said period of five years, be revived and said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect, shall be in full force and effect in all respects, in the same manner, and to the same extent as if said By-law Numbered L.S.R.-1-20 had not been passed."

18. This by-law and the powers and privileges hereby granted shall not take effect or be binding on the Corporation unless or until formally assented to by the Municipal electors of the said City of London and confirmed and validated by an Act of the Legislature of the Province of Ontario as hereinbefore provided, which Act will contain the section mentioned in paragraph seventeen hereof, nor unless or until accepted by the Company within thirty days after this by-law takes effect, by an Agreement which shall legally bind the Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained and shall be approved by the City Solicitor, and such Agreement, when so approved, shall be executed under the seal of the Corporation by the Mayor or Chairman of Number One Committee and the City Clerk.

Passed in open Council this sixth day of January, A.D. 1930.

W. J. KILPATRICK, *Mayor*.

S. BAKER, *Clerk*.

Schedule "A."

Articles of Agreement made this first day of February, A.D. 1930.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON (hereinafter
called the Corporation),

of the first part;

—AND—

THE LONDON STREET RAILWAY COMPANY (hereinafter
called the Company),

of the second part.

Whereas by By-law No. 916 respecting The London Street Railway Company, passed on the Twenty-first day of May, A.D. 1895, the consent, permission and authority of the Corporation was given and granted to the Company to construct, complete, maintain and operate during the remainder of the term of fifty years from the Eighth day of March, A.D. 1875, a surface electric street railway on the trolley system upon and along certain streets in the said City of London, particularly mentioned in the said by-law, upon and subject to the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things therein contained;

And whereas By-law No. L.S.R.-1-20 to amend said By-law No. 916 was passed on the Sixth day of January, A.D. 1930, a true copy whereof is hereto annexed;

And whereas these Presents are intended to give effect to said By-law No. L.S.R.-1-20, and to bind the Company to conform to, obey, perform, observe, fulfil and keep all the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things contained in the said by-law, and also to bind the Company as hereinafter provided;

Now these Presents witness that in consideration of the granting of the powers and privileges which are by said By-law No. L.S.R.-1-20 granted by the Corporation to the Company, the Company doth, for itself, its successors and assigns, covenant, promise and agree to and with the Corporation, and its successors, in manner following, that is to say:

That the Company doth hereby accept said By-law No. L.S.R.-1-20, and that the Company, its successors and assigns will, in all things, conform to, obey, perform, observe, fulfil and keep all and every the terms, conditions, agreements, stipulations, regulations, obligations, provisions, and things in the said by-law contained, upon, under and subject to which the said powers and privileges are by the said by-law granted to the Company, and will do and perform all acts, matters and things which the said by-law provides are to be done by or on behalf of the Company, and will not do anything which the said by-law provides is not to be done by the Company;

And the Company also covenants and agrees with the Corporation that nothing in the said By-law No. L.S.R.-1-20 contained shall prejudice, alter or affect any of the rights or powers of the Corporation or of the Council of the Corporation under said By-law No. 916, and the agreement between the Company and the Corporation bearing date the Sixth day of June, A.D. 1895, or the said by-law and agreement, save as amended by said By-law No. L.S.R.-1-20, and that the said By-law No. 916 and the said agreement bearing date the Sixth day of June, A.D. 1895, as amended by said By-law No. L.S.R.-1-20, and as amended, varied or altered by by-laws of the Council of the Corporation heretofore passed, and agreements in writing between the Company and the Corporation entered into in pursuance of such by-laws, shall remain in full force and effect and be valid and binding upon the Company, its successors and assigns.

This Agreement shall not come into force or take effect or be binding upon the parties hereto unless and until the said By-law No. L.S.R.-1-20 and this Agreement are confirmed and validated by an Act of the Legislative Assembly of the Province of Ontario at its next Session.

In witness whereof the parties hereto have hereunto caused to be affixed their Corporate Seals, and the Mayor and Clerk of the Corporation and the President and Secretary of the Company have set their hands the day and year first above written.

Signed, Sealed and Delivered

In the presence of

SCHEDULE "B."

This Agreement made this sixth day of January, One Thousand Nine Hundred and Thirty.

BETWEEN:

CANADIAN NATIONAL RAILWAY COMPANY (hereinafter
called the Railway),

of the first part;

—AND—

THE CORPORATION OF THE CITY OF LONDON (hereinafter
called the City),

of the second part.

Whereas the Railway heretofore constructed its main line tracks through the said City of London and built a railway station in the said City for the accommodation of passengers and established railway yards, team tracks and other railway facilities for the handling of business in the said City of London;

And whereas the City has requested the Railway to build a new station;

And whereas the building of the said new station necessitates the consideration and settlement of grade separation problems in the said City;

And whereas the other works hereinafter set forth and connected with the said grade separation problems are of mutual benefit to the City and the Railway in the general scheme of grade separation;

Now therefore it is agreed by and between the parties hereto as follows:

1. PLANS.

The plan lettered "A" dated the second day of January, one thousand nine hundred and thirty, which shows the Railway's tracks and the proposed subways, bridge, closed streets, reconstruction of street railway tracks, rearrangement of yards and facilities, proposed new level of tracks, together with other details of the proposed construction work; and the plan lettered "B," dated November fifteenth, one thousand nine hundred and twenty-eight, which shows cross section and profile of a typical subway, both of which plans have been identified by the signatures of the parties hereto, shall be considered forming part of this agreement.

2. SUBWAYS.

The Railway shall construct subways so as to permit pedestrian and vehicular traffic to pass under the Railway's tracks in accordance with the details shown on the said plans "A" and "B," upon the following streets in the said City of London, namely: Ridout, Richmond, Wellington, Maitland, Adelaide and Rectory Streets. The subways on Richmond and Wellington Streets shall be completed and ready for use on or before December thirty-first, one thousand nine hundred and thirty-two. The construction of the subways on Ridout, Maitland, Adelaide and Rectory Streets shall not be commenced until requested by the Council of the City and shall not in any event be commenced before the thirty-first day of December, one thousand nine hundred and thirty-two.

The Council of the City shall send each such request to the Railway at least eighteen months before the date fixed for the completion of the subway in respect of which such request is made, but, if any such request should be sent to the Railway less than eighteen months before the date fixed for the

completion of the subway in respect of which such request is made, the Railway shall have such additional time for completion of such subway as will give the Railway eighteen months from the time of the receipt of such request.

The subway on Ridout Street aforesaid, if so requested by the Council of the City, shall be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and thirty-seven, and either the subway on Adelaide Street or the subway on Rectory Street, as hereafter determined by the City, shall, if so requested by the Council of the City, be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and thirty-nine, and the said subways at Adelaide and Rectory Streets shall be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and forty-two.

All subways shall be sixty-six (66) feet in width between abutments, with supporting columns placed in the centre of the said subways so as to leave a roadway twenty-one (21) feet in width, and a sidewalk eight and one-half ($8\frac{1}{2}$) feet wide on each side of the said columns, with clear headroom from the roadway pavement level of the said subway of fourteen (14) feet and a clear headroom over the said sidewalks of not less than eight and one-half ($8\frac{1}{2}$) feet.

Ridout Street Subway.

The grade on the roadway approaches to the Ridout Street Subway shall not exceed five per cent. (5%).

Richmond Street Subway.

The grade on the roadway approaches to the Richmond Street Subway shall not exceed six per cent. (6%).

This subway shall be constructed to the existing southerly curb line of Bathurst Street and the pavement on Bathurst Street shall be raised to the new grade of the Railway's tracks at this point so that the roadway shall be constructed over the said subway. The sidewalks on each side of Richmond Street northerly of the Railway's tracks shall be retained on their existing levels to the southerly limit of the London Shoe Building on the easterly side of Richmond Street and to the southerly limit of the easterly entrance of the Tecumseh Hotel on the westerly side of Richmond Street, the sidewalks shall then be graded from the aforesaid points to the standard grade level of the sidewalks in the subway.

On the southerly side of Bathurst Street a covered stairway shall be constructed to give access to the westerly subway sidewalk from the Bathurst Street level.

The sidewalks of the southerly approach to the subway shall be retained at their existing level as far northerly as possible and then graded to the standard grade level of the sidewalks in the subway in order to reduce to a minimum the length of retaining walls along buildings.

Wellington Street Subway.

As Wellington Street is one hundred and thirty-two (132) feet in width roadways shall also be constructed on both sides of the subway at the northerly end thereof to provide entrances into adjoining properties at existing grades and at the southerly end of the said subway these roadways shall be so constructed as to provide access to and from Bathurst Street to Wellington Street.

The grade on the roadway approaches to the Wellington Street Subway shall not exceed six per cent. (6%).

Maitland Street Subway.

The grade on the roadway approaches to the Maitland Street Subway shall not exceed six per cent. (6%).

The construction of the subway on Maitland Street shall not in any event be commenced before the thirty-first day of December, one thousand nine hundred and forty-five, and shall, if so requested by the Council of the City, be completed and open for traffic within two years thereafter.

Adelaide Street Subway.

The grade on the roadway approaches to the Adelaide Street Subway shall not exceed six per cent. (6%).

Rectory Street Subway.

The grade on the roadway approaches to the Rectory Street Subway shall not exceed five per cent. (5%).

In order to construct the Ridout, Richmond and Wellington Street Subways, it is necessary for the Railway to raise the level of its tracks from a point near the Railway's bridge over the Thames River to a point at or near Waterloo Street. The maximum elevation of the said tracks shall be four (4) feet more or less, the detail of the proposed new level being shown on said Plan "A."

3. EGERTON STREET BRIDGE.

The Railway shall construct an overhead bridge for vehicular and pedestrian traffic over the Railway's tracks on Egerton Street with a roadway of at least thirty-two feet in width and a sidewalk at least six feet (6) wide on both sides of the said bridge. A roadway with necessary pavement and sidewalks shall be constructed by the City from the intersection of Mabel Street and Egerton Street to Bridges Street and a roadway with the necessary pavement and sidewalks shall also be constructed by the City from the southerly end of the southerly approaches of the said bridge to the southerly limit of Pine Street as shown on the said Plan "A," and the cost of such pavements and sidewalks shall be deemed part of the cost of construction provided for by paragraph twelve of this Agreement to be assumed, borne and paid for, by the parties hereto and any other parties mentioned in paragraph twelve hereof, in accordance with the order or orders of The Board of Railway Commissioners for Canada (hereinafter called the Board), as provided for by paragraph twelve hereof.

The construction of the said bridge on Egerton Street will necessitate the relocation of the main line of the Thorndale Subdivision of the Railway, and it is agreed that the relocated main line will cross Gore, Brydges and Swinyard Streets at the grade level. The construction of the bridge on Egerton Street shall not be commenced before the thirty-first day of December, nineteen hundred and thirty-two, but shall be completed and open for traffic on or before the thirty-first day of December, nineteen hundred and thirty-seven.

4. STREETS TO BE CLOSED.

The City agrees to close those portions of Talbot, Clarence, Waterloo, Colborne, Burwell, and William Streets, lying between the productions of the northerly and southerly limits of the Railway's lands across the said streets as shown on the said Plan "A." The said portion of Clarence Street shall be closed forthwith; the said portion of Waterloo Street shall be closed upon the completion of the Wellington Street Subway and the opening of the same for traffic and the said portions of Colborne, Burwell and William Streets shall be so closed when the Adelaide Street Subway has been completed, and opened for traffic. Ridout Street and Talbot Street shall not be unnecessarily obstructed until the subways at Wellington Street and Richmond Street have been completed and opened for traffic, at which time the said portion of Talbot Street shall be closed.

5. CONSTRUCTION OF NEW STATION.

The Railway, at its own risk and expense, shall remove the existing station of the Railway and shall construct a new modern station in lieu thereof at or near the site of the existing station, at its own risk and expense; such new station to be reasonably fit for the needs of the inhabitants of the

said City of London and the travelling public. The work of constructing such new station shall be completed and the said new station shall be ready for use on or before the thirty-first day of December, one thousand nine hundred and thirty-two.

6. PEDESTRIAN SUBWAY TO LONDON AND PORT STANLEY PLATFORM.

The Railway shall construct a pedestrian subway as shown on the said plan "A" and provide adequate facilities for the expeditious handling of baggage from the southerly side of the proposed new station to the northerly side of The London and Port Stanley Railway Company's platform near or on Bathurst Street, together with the necessary covered stairways at both ends thereof and stairway approaches therefrom to passenger tracks southerly of the new station, and a covered stairway from The London and Port Stanley Railway Company's said platform to the easterly sidewalk of the Richmond Street Subway.

7. DRAINAGE OF SUBWAYS.

(a) The Railway shall construct the necessary pump houses and install therein the necessary drainage pumps in connection with the subways on Maitland, Adelaide and Rectory Streets, and the City shall at its own expense maintain, repair and operate the said pump-houses and drainage pumps.

(b) The City shall construct a sewer on Bathurst Street to drain the subways on Richmond, Wellington and Ridout Streets, and the cost of constructing the said sewer shall be deemed part of the cost of construction provided for by paragraph twelve of this Agreement and shall be assumed, borne and paid for in accordance with the order or orders of the Board, as provided for by paragraph twelve hereof. Should the said sewer be constructed as an intercepting sewer, taking the drainage from points other than the said subways, the increased cost by reason thereof shall be borne by the City.

8. CONSTRUCTION WORK.

The Railway shall perform in a workmanlike manner, and in accordance with plans approved by the Board, the work of constructing the said subways, bridge, pedestrian subway, raising of railway grades, relocation of railway tracks, station and all works incidental thereto, including bridges for support of railway tracks over subways, abutments, retaining walls, including the retaining wall on the south side of The London and Port Stanley Railway Company's tracks between Wellington and Richmond Streets, grading of approaches, and the City shall perform the work of laying of sidewalks and pavements in the subways and approaches thereto and on the overhead highway bridge, and shall also perform the work of constructing sewers, water mains and other facilities of the City affected by the said works. The work of rearranging and/or reconstructing sewers, drains, watermains, and water pipes, electric light and power wires, shall be performed by the City and/or The Public Utilities Commission of the City of London, and the work of rearranging and/or reconstructing gas mains may be performed by the City Gas Company of London, and the work of rearranging and/or reconstructing telephone and telegraph wires may be performed by the Companies owning or operating such telephone or telegraph wires, and the cost of all such rearranging and reconstructing shall be deemed part of the cost of construction provided for by paragraph twelve of this agreement and shall be assumed, borne and paid for in accordance with the order or orders of the Board, as provided for by paragraph twelve hereof.

9. RELOCATION OF TRACKS OF OTHER RAILWAYS.

The City is the lessee of The London and Port Stanley Railway Company and The London and Port Stanley Railway is practically owned by the City, and the City agrees that the tracks of The London and Port Stanley Railway Company shall be diverted from Bathurst Street and reconstructed over the new subway on Wellington Street, as shown on the said Plan "A". The construction of the said subway on Wellington Street

shall be carried out in such a manner as to cause as little inconvenience as possible to the business of The London and Port Stanley Railway Company, and one through track of the said The London and Port Stanley Railway Company shall, during such construction, be available for The London and Port Stanley Railway Company at all times, and the tracks of The London and Port Stanley Railway Company between Richmond and Waterloo Streets, when elevated, shall conform to the grade of the Railways tracks when elevated, and the tracks of The London and Port Stanley Railway Company, west of Richmond Street shall be provided with suitable and convenient approaches to the terminal facilities of The London and Port Stanley Railway Company.

As shown on the said plan "A" it is necessary to relocate the tracks of the Michigan Central Railroad Company in the vicinity of Wellington Street and should the said Michigan Central Railroad Company not approve of the proposed re-location of their tracks the matter in dispute shall be referred to the Board for settlement.

10. FREIGHT SHED AND ENGINE HOUSE PROPERTY OF THE LONDON AND PORT STANLEY RAILWAY COMPANY.

If the Railway decides to use the land upon which the freight sheds and freight yards and/or the engine house property of The London and Port Stanley Railway Company are situated, the Railway shall, before taking possession of the same, provide for The London and Port Stanley Railway Company another site suitable and convenient for The London and Port Stanley Railway Company for their freight shed and freight tracks and will erect thereon a suitable freight shed, and the cost of the said site, and freight shed, and also the cost of the driveways, and the cost of laying the necessary freight tracks on the said site for The London and Port Stanley Railway Company shall be assumed, borne and paid for by the Railway. The City shall ensure that the lands of The London and Port Stanley Railway Company required by the Railway hereunder as shown colored in yellow on the said plan "A" shall be transferred to the Railway free from encumbrances of every nature forthwith upon the transfer of the new site to The London and Port Stanley Railway Company by the Railway. If the Railway decides to use the said land shown colored in yellow on the said plan "A", The London and Port Stanley Railway Company, may at its option, elect to be paid in cash by the Railway for the said land so taken by the Railway instead of the Railway providing another site suitable and convenient for The London and Port Stanley Railway Company for their freight shed and freight tracks and erecting thereon a suitable freight shed and paying for the cost of the said site and freight shed, and also the cost of the driveways and the cost of laying the necessary freight tracks on the said site for The London and Port Stanley Railway Company, the price to be so paid in cash to be agreed upon between the Railway and The London and Port Stanley Railway Company, and if they fail to agree to be fixed and determined in accordance with the provisions of paragraph twenty-two hereof.

11. LABOUR.

The workmen and labourers employed in or about the construction work, provided for herein, by Contractors carrying out the work on behalf of the Railway shall be paid such rates of wages as may be currently payable to workmen and labourers engaged in similar occupations in the immediate vicinity of the said City of London, but this clause shall not apply to employees of the Railway.

12. DIVISION OF COST.

Except as otherwise provided in this Agreement, the cost of all the works of construction herein provided for such as raising of grade and re-location of the Railway tracks, including the main line of the Thorndale subdivision of the Railway, and including The London and Port Stanley Railway Company's tracks, overhead system and terminal facilities,

construction of subways, pedestrian subway, facilities for handling baggage between the new station and The London and Port Stanley Railway Company's platform, bridges, roadways and the re-location of Street Railway tracks, construction of pump houses and drainage pumps, re-location of other public facilities such as telephone pole lines and conduits, sewers, water mains, pavements and sidewalks, gas mains and all other works of whatsoever nature affected by the proposed work herein provided for, together with the cost of all lands purchased for such works and all compensation, awards, damages, costs and expenses awarded to owners of such lands and/or adjoining properties by reason of the construction of the works herein provided for, shall be assumed, borne and paid for in accordance with the order or orders of the Board, and both parties hereto shall endeavour to have the cost properly divided between the Railway, the City, The London Street Railway Company, The London and Port Stanley Railway Company, the Michigan Central Railroad Company and all public utility companies whose works are affected or disturbed by the work herein provided for.

13. MAINTENANCE AND REPAIR.

The Railway shall at its own risk and expense maintain and repair the main structures of the bridges supporting the Railway tracks over the subways, the retaining walls on Railway property, that part of the westerly retaining wall of the Wellington Street Subway which will lie north of a straight line drawn easterly across Wellington Street in continuation of the southerly limit of the Railway's property which adjoins Wellington Street on the west and south of a straight line drawn easterly across Wellington Street in continuation of the northerly limit of the Railway's property which adjoins Wellington Street on the west, and all that part of the easterly retaining wall of the said Wellington Street Subway which will lie north of a straight line drawn westerly across Wellington Street in continuation of the southerly limit of the Railway's property which adjoins Wellington Street on the East, and the bridge on Egerton Street (exclusive of the approaches thereto).

Save and except as hereinbefore provided, the City shall, at its own risk and expense, maintain and repair the retaining walls outside of the limits of the Railway's right of way, the roadways, sidewalks, sewers, including the sewer to be constructed on Bathurst Street as aforesaid, water mains and other municipal works in the said subways and on the said highway bridge.

14. PROTECTION OF PUBLIC DURING CONSTRUCTION.

The Railway shall, while any work to be done hereunder by the Railway is in progress in any of the streets of the City of London, or any portion thereof, keep and maintain such barriers, watchmen and lights, and take such other care and protection as may be necessary, or which the Engineer for the time being of the City may require for the protection and safety of the public and of property and the cost thereof shall be considered part of the cost of such work.

15. MAINTENANCE AND REPAIR OF PUBLIC FACILITIES.

The City and The Public Utilities Commission of the City of London and their respective officers, servants and contractors, shall have the right without expense to the Railway, from time to time, and at all times hereafter, to take up the streets, or such of them, or such part or parts thereof, as they may from time to time see fit, not only under the subways to be constructed as aforesaid, but also in the parts of the streets which, by the terms of this agreement, are to be closed, both before and after the closing of the same, for the purpose of constructing, and/or repairing drains, sewers and/or culverts, and for laying down and/or repairing water pipes and/or for placing, repairing, renewing and/or replacing electric light and/or other wires, and/or for any other purpose for the time being within the powers, privileges, duties or obligations of the City and/or The Public Utilities Commission of the City of London.

Provided that all such works shall be performed in accordance with the orders and regulations of the Board applicable thereto, and if the Railway deems it necessary or desirable, under the supervision and to the satisfaction of an engineer designated by the Railway.

16. LIGHTING OF SUBWAYS.

The City shall at its own expense properly light the said subways whenever necessary.

17. INDEMNITY.

The Railway shall indemnify and save harmless the City from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, arising by reason of loss, damage or injury to person or property caused by or resulting from the work performed by the Railway hereunder and the City shall indemnify and save harmless the Railway from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings arising by reason of loss, damage or injury to person or property arising out of the works to be performed by the City hereunder, or arising in any manner out of the use of the said subways, bridge and approaches thereto at any time after same have been completed and are in operation (except when such loss, damage or injury shall have been due to the negligence of the Railway or its employees,) it being the intention of this Agreement that the Railway shall not be liable for any loss, damage or injury occurring in the said subways or on the said bridge or approaches thereto by reason of grades, columns or stairways of such subways, bridge or approaches thereto or any other special feature of construction. Liability for all claims and demands, loss, costs, damages, actions, suits or other proceedings arising by reason of loss, damage or injury to person or property caused by or resulting from work performed jointly by the Railway and the City hereunder shall be divided between the parties hereto in the proportion fixed by the Board in dividing the original cost of the works herein provided for between the parties.

Liability for other loss, damage or injury arising hereunder for which the parties hereto are jointly liable shall be divided between the parties in accordance with the responsibility of each party. Should proceedings be commenced against one party hereto for loss, damage or injury for which the other party hereto is liable such other party shall at once assume the defence of such proceedings and save the other party hereto harmless from all loss, costs and expenses in connection therewith. Should proceedings be commenced against one party hereto for loss, damage or injury for which both parties hereto are jointly liable the other party shall assist in defending and shall assume its proper proportion of all costs, damages and awards resulting therefrom. Should proceedings be commenced against both parties hereto for loss, damage or injury for which one party hereto is solely responsible such party shall at once assume the defence of such proceedings and save the other party hereto harmless from all loss, costs, expenses and awards resulting therefrom.

18. EMPLOYEES OF THE CITY ON RAILWAY PREMISES AT THEIR OWN RISK.

All compensation awards or payments made to the employees of the City engaged in constructing or installing any of the works hereunder which are to be constructed or installed by the City shall be added to the cost of the general work and shall be assumed, borne and paid for in accordance with the order or orders of the Board as provided by paragraph twelve hereof. Provided that all employees of the City entering upon the premises of the Railway for the purpose of maintaining, repairing or using any of the works herein provided for shall do so at the risk of the City and the Railway shall not be liable for any loss, damage or injury in any manner sustained by such employees while on the Railway's premises and the City shall indemnify and save harmless the Railway from and against all claims and demands arising by reason of such loss, damage or injury.

19. TAXES.

As provided in paragraph twelve hereof, the entire cost of reconstruction of sidewalks, pavements, water mains, sewers and other municipal works shall be considered as part of the total cost of constructing the works herein provided for and shall be assumed, borne and paid for in accordance with the order or orders of the Board. No local improvement or special tax (exclusive of general rates) shall be levied or assessed against the Railway for the cost of the works herein provided for, and except as aforesaid, nothing herein contained shall relieve the Railway from assessment for or payment of any general, local improvement or special tax.

20. TEAMWAY ON YORK STREET.

The Railway intends constructing at its own expense freight sheds on the Railway's lands fronting on York Street, as shown on the said Plan "A", and the City agrees that a portion of York Street twenty-five feet in width, lying along the southerly side of York Street, between Wellington and Waterloo Streets, may be used by the Railway for teamway purposes, and the Railway shall construct and at all times keep in repair, at its own expense, the pavement on the said portion of York Street.

If the City deems it necessary, on account of the use of the said portion of York Street for teamway purposes, the City may widen the pavement on the north side of York Street between Wellington and Waterloo Streets opposite such portion of the street and in the event of the City's so doing the cost of such widening shall be assumed by the Railway and shall not be included in the general cost of the other works herein provided for.

21. TRACKS AT GRADE LEVEL.

As shown on said Plan "A", there are at present five railway tracks constructed across Adelaide Street at the grade level of the said street between Simcoe and Bathurst Streets and also a railway track at grade level across the intersection of Bathurst and William Streets. After completion of the said subway on Adelaide Street, the aforesaid tracks may remain in their present position until the parties agree that the traffic requirements on Adelaide Street necessitate the removal of the tracks leading to the engine terminal therefrom and their reconstruction in the position indicated by the dotted lines on the said Plan "A", easterly of Adelaide Street and crossing Bathurst Street at grade level of the said streets. The cost of re-locating said tracks leading to the Roundhouse as well as re-locating the Coal Chute, Cinder Pits, Stand Pipes and other facilities, including the purchase of necessary real estate and land damages, if any, shall be divided between the Railway and the City, in accordance with the order or orders of the Board relative thereto.

22. DISPUTES.

All disputes arising between the parties hereto with respect to the works herein provided for and which cannot be amicably adjusted by the parties hereto shall be referred to the Board for settlement. Should the Board decline to act such dispute or disputes shall be submitted to arbitration in the following manner:

The party desiring such reference shall appoint an arbitrator who shall be a disinterested person and give notice thereof and of intention to refer to the other party, who shall within thirty days after receipt of such notice appoint on its behalf an arbitrator who shall be a disinterested person, in default of which such an arbitrator on behalf of such other party may be appointed by one of the Judges of the Supreme Court of Ontario on the application of the party desiring such reference after ten days' notice to the other party. The two arbitrators so appointed or selected shall select a third and the award of the said three arbitrators or a majority of them made after due notice to both parties of the time and place of hearing the matter referred and hearing the party or parties who may attend shall be final and binding on both parties hereto and they expressly agree to abide thereby. In case the two arbitrators first appointed fail to appoint a third within ten days after they have both been appointed then the third arbi-

trator may be appointed by one of the Judges of the Supreme Court of Ontario on the application of either party after ten days' notice to the other. In case of death or the refusal or inability to act of any arbitrator or if for any cause the office of any arbitrator becomes vacant his successor shall be appointed in the same manner as is provided for his first appointment in the first instance unless the parties otherwise agree. The arbitrators appointed shall have all the powers given by The Arbitration Act (Revised Statutes of Ontario, 1927, Chapter 97) to arbitrators.

23. CANCELLATION.

This agreement cancels and supersedes all agreements heretofore made between the City and The Grand Trunk Railway Company of Canada and/or the Railway respecting the construction of a new station, protection at Highway crossings herein referred to and all municipal facilities constructed under the Railway's tracks which are to be removed under the provisions hereof, but shall not prejudice any existing rights of the Railway or of The London and Port Stanley Railway Company under the provisions of an Indenture dated the twenty-fifth day of April, one thousand eight hundred and seventy and made between The Great Western Railway Company of Canada and The London and Port Stanley Railway Company.

24. APPROVAL OF AGREEMENT.

This agreement shall not come into force or take effect unless and until it has been approved of by the Board, assented to by the Municipal electors of the City of London and validated by an Act of the Legislature of the Province of Ontario.

In witness whereof the Railway has hereunto caused to be affixed its Corporate Seal, and the Vice-President and Secretary have set their hands, and the City has hereunto caused to be affixed its Corporate Seal, and the Mayor and Clerk have set their hands, the day and year first above written.

SIGNED, SEALED AND DELIVERED
In the Presence of

CANADIAN NATIONAL RAILWAY COMPANY

Vice-President

Secretary

THE CORPORATION OF THE CITY OF LONDON

Mayor

Clerk

BILL.

An Act respecting the City of London.

1st Reading

2nd Reading

3rd Reading

MR. MOORE

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of London.

MR. MOORE

No. 33.

1930.

BILL

An Act respecting the City of London.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1930.*

By-law
L.S.R.-1-20
and agree-
ment with
London St.
Railway,
confirmed.

2.—(1) Subject to the provisions of subsection 2, by-law number L.S.R.-1-20 of the council of the corporation of the city of London, passed on the 6th day of January, 1930, amending by-law number 916 respecting The London Street Railway Company passed on the 21st day of May, 1895, and the agreement between the corporation of the city of London and The London Street Railway Company, bearing date the 1st day of February, 1930, which are set out in schedule "A," hereto annexed, are hereby confirmed and declared to be legal, valid and binding, in the same manner and to the same extent as if set out at length in this Act, and the provisions thereof were enacted in this Act; and the said corporation is hereby authorized and empowered to pass such other by-laws and enter into such other agreements and do all such other acts, matters and things as may be deemed necessary by the said corporation for the full and proper carrying out of the provisions of the said agreement, and where jurisdiction respecting any of the matters mentioned in the said agreement is now or may hereafter be vested in the police commissioners of the said city, or any other authority, such powers as may be necessary to enable the council of the said corporation to carry out the provisions of the said agreement shall be exercised by the council of the said corporation instead of the said commissioners or other authority.

(2) Nothing in the said agreement shall be construed as affecting the powers conferred on the Department of Highways by *The Public Vehicle Act*. Rev. Stat. c. 252.

3. If the said The London Street Railway Company shall, in the opinion of the council of the corporation of the city of London, at any time during the period of five years mentioned in said by-law number L.S.R.-1-20, fail or neglect to keep, observe, perform, or comply with any of the provisions of said by-law number 916 as heretofore amended and as amended by said by-law number L.S.R.-1-20, passed on the 6th day of January, 1930, the council of the said corporation may, under the provisions of said by-law number L.S.R.-1-20 repeal said by-law number L.S.R.-1-20 and immediately upon the passing of such repealing by-law, said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect, shall be revived and said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall be in full force and effect in all respects, in the same manner and to the same extent as if said by-law number L.S.R.-1-20 had not been passed, and in the event of the council of the said corporation not repealing said by-law number L.S.R.-1-20 as provided for by the fifteenth paragraph thereof, said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall at the end of the said period of five years be revived, and said by-law number 916 as amended before said by-law number L.S.R.-1-20 takes effect shall be in full force and effect in all respects, in the same manner and to the same extent as if said by-law number L.S.R.-1-20 had not been passed. Power to repeal By-law No. L.S.R.-1-20.

4. The agreement between the corporation of the city of London and Canadian National Railway Company, bearing date the 6th day of January, 1930, which is set out in schedule "B." hereto annexed, is hereby ratified and confirmed, and the said parties are hereby empowered to carry out their respective obligations and privileges thereunder, and the said corporation is hereby authorized to pass the necessary by-laws for carrying out the terms and conditions of the said agreement. Agreement with C.N.R., confirmed.

5. The corporation of the city of London may pass a by-law, or may from time to time pass by-laws, to stop up and close those portions of the streets mentioned in the said agreement set out in schedule "B." hereto annexed, and it shall not be necessary for the said corporation to observe in respect thereof the provisions or formalities prescribed by *The Municipal Act* relating to the stopping up of highways. Power as to closing certain streets. Rev. Stat., c. 233.

6. The corporation of the city of London may from time to time pass by-laws as the circumstances require to borrow, Power to borrow \$700,000 for construction of works under agreement with C.N.R.

and may borrow, sums not exceeding in the whole \$700,000, and may issue debentures therefor for any period not exceeding thirty years from the respective times when the debentures are issued, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine, to pay for the cost of the works mentioned in the said agreement set out in schedule "B." hereto annexed which, under the said agreement, shall become payable by the said corporation, without submitting the by-laws to the electors of the said city for their assent.

Power to borrow \$16,000 for police station.

7. The corporation of the city of London may pass a by-law to borrow and may borrow a sum not exceeding \$16,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine to provide moneys to pay for a portion of the cost of the erection of the new police station in the said city of London, without submitting the by-law to the electors of the said city for their assent.

Power to borrow \$70,000 for maintenance of break-water.

8. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$70,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine, to provide moneys to pay for the maintenance or repair of the break-water in London West, without submitting the by-law to the electors of the said city for their assent.

1925, c. 95, s. 3, repealed.

9. Section 3 of *The City of London Act, 1925*, is hereby repealed.

Composition of council.

10. Notwithstanding anything in any special or other Act the council of the city of London shall at the next annual municipal election and thereafter be composed of a mayor and three aldermen for each ward of the said city who shall hold office for one year and until their successors are elected and a new council organized.

Formalities prescribed by Rev. Stat. c. 233, not to apply.

11. It shall not be necessary for the corporation of the city of London to observe, in respect of any of the by-laws mentioned in sections 6, 7 and 8 hereof the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularity in form not to invalidate.

12. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or

be allowed as a defence to any action brought against the corporation of the city of London for the recovery of the amount thereof or any part thereof or the interest thereon.

13. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of
Act.

SCHEDULE "A."

By-Law No. L. S. R.-1-20

To amend By-law No. 916 respecting "The London Street Railway Company" passed on the Twenty-first day of May, A.D. 1895.

Be it enacted by the Municipal Council of the Corporation of the City of London, as follows:

1. Section 10 of By-law No. 916, respecting The London Street Railway Company, passed on the Twenty-first day of May, A.D. 1895, is hereby repealed, and the following substituted therefor:

"10 (1) Whenever it shall be deemed expedient by the Corporation, or the Council thereof, under the provisions of *The Local Improvement Act*, or under any other act or authority, to pave or repave, whether with materials different from what are now in use or not, any street or portion of a street upon or along which the railway tracks of the Company, or any of them, are or shall be laid, the track allowance shall, at the same time that the paving or repaving is being done on the adjoining portions of the street, be paved by the Company with the like materials, or such other material as shall be approved of by the Council of the Corporation, and in the same manner as the adjoining portion of the said street is so paved or repaved, and to the satisfaction of the said Engineer, the Company furnishing the materials, and the specifications for all such paving or repaving to be done by the Company, including the foundations therefor, under the provisions of this subsection, shall be submitted to and approved of by the said Engineer before any of the said work is commenced by the Company, and the actual cost of such paving or repaving by the Company (save and except the cost of the necessary excavation and the foundations for the ties and rails of the Company up to the normal line of the paving which shall be done by the Company at their own expense and shall be paid for by the Company) shall be paid by the Corporation to the Company after the completion of the work to the satisfaction of the said Engineer, and within three months after the work had been paid for by the Company, and after the Corporation has received from the Company an itemized statement of the total actual cost, and after such itemized statement has been certified by the said Engineer to be correct and thereafter the track allowances shall be maintained and kept in repair to the satisfaction of the said Engineer by and at the expense of the Company, the Company furnishing the materials, and the Company shall be responsible for and make good to the Corporation all loss, damages, costs, charges and expenses which the Corporation may incur or be put to by reason of any failure of the Company to conform to the provisions of this subsection or any delay on the Company's part in so doing. Nothing in this subsection contained shall prejudice the right of the Corporation to have the track allowances on Richmond Street between Victoria Street and Huron Street and on Adelaide Street between Rattle Street and Oxford Street paved by, and at the expense of, the Company, and to the satisfaction of the said Engineer within nine months after this by-law takes effect, if it should take effect, and the Company shall be bound to pave the track allowances on the said portions of the said streets at their own expense within the said nine months, but, in the event of the pavement on York Street being completed in the year, A.D. 1929, this subsection shall apply to that pavement."

"(2) It shall be the duty of the Company whenever any street or portion of a street is to be so paved or repaved, to take up, and the Company shall take up, their tracks and substructures thereon if and when the said Engineer shall deem it necessary to do so, and relay the same according to the best modern practice and to the satisfaction of the said Engineer and at the expense of the Company."

2. Subsection (d) of Section 25 of the said By-law No. 916 is hereby repealed, and the following substituted therefor:

"(d) The Company may, on week days, charge and collect from every person on entering any of their cars and/or buses for a continuous journey of any distance on their railway and/or bus system, from any point thereon to any other point on a main or branch line and/or bus system, within the limits of the City of London as now existing or hereafter extended, a sum not exceeding seven cents, except for children under five years of age accompanied by a parent or other person having them in charge, such children to travel free; and shall sell tickets at the price of fifty cents for nine tickets, each ticket to entitle the holder to one continuous journey on the cars and/or buses as aforesaid, between the hour when the cars and/or buses commence running and 12 o'clock midnight, and shall also sell another class of tickets at the price of twenty-five cents for five tickets, the same to entitle the holder to one continuous journey on the cars and/or buses as aforesaid, between the hours of 6 a.m. and 8.45 a.m. and between the hours of 5 p.m. and 6.30 p.m., and shall also carry children between the ages of five and twelve years, for a cash fare of three cents and shall sell two children's tickets, good for children between the ages of five and twelve years, at the price of five cents, and shall also carry free of charge all police constables in uniform, and all city firemen in uniform or wearing badges when going to or returning from a fire, health and water inspectors, and city detectives wearing badges; and the Company shall grant transfers without any additional charge for both adults and children, from any point on their lines and/or bus system, to any other point on their lines and/or bus system, within the limits of the City of London, as now existing or hereafter extended, for a continuous journey, which is not a return trip, and shall from time to time make proper and sufficient arrangements, to the satisfaction of the said Engineer, for the purpose of such transfers. The fares set out in this section shall not apply to chartered or private cars and/or buses. No person, save as aforesaid, and save also employees in the service of the Company, shall be permitted to travel free upon any of the cars and/or buses of the Company. (The Council of the Corporation may, from time to time, by by-law, change the hours hereinbefore provided for, between which the said class of tickets at the price of twenty-five cents for five tickets may be used as hereinbefore provided, so long as such by-law does not provide for more than two hours and forty-five minutes in the morning and one hour and thirty minutes in the afternoon of each week day during which the said class of tickets at the price of twenty-five cents for five tickets may be used as aforesaid)."

"Provided always that the whole of the increased revenue which may be derived by the Company by reason of the increased fares which will be received in consequence of the enactment of this subsection, if and when this by-law takes effect, shall be expended on improvements to the Street Railway and/or bus system in such manner as may from time to time be directed by the Council of the Corporation of the City of London."

3. Subsection (h) of Section 25 of the said By-law No. 916 is hereby repealed and the following substituted therefor:

"(h) The Company shall not use or operate at any time more than twenty-two motor street cars in charge of one man, without the consent of the Council of the Corporation, and, save as aforesaid, there shall be not less than two men in charge of each motor street car, and not less than one man in charge of each trailer or other car, and not less than two men in charge of each motor street car used or operated within the limits of the City of London as now existing or hereafter extended, in connection with the Springbank line."

4. As the bridge now owned by the Corporation of the City of London (hereinafter called the Corporation) known as the Dundas Street Bridge, requires, in the opinion of the Council of the Corporation to be replaced or renewed, the Corporation may construct a new bridge so as to permit of one track of The London Street Railway Company (hereinafter called the Company) being placed in the centre thereof, or in such other place as the Engineer for the time being of the Corporation (hereinafter called the Engineer) shall deem advisable and, the Company shall when the said bridge is completed and ready for use, and before the same is used by the Company, enter into an agreement with the Corporation to pay to the Corporation a rental for the use of such bridge based on the additional

cost thereof to the Corporation caused by reason of the bridge being constructed so as to permit the Company's track to be laid thereon, and such agreement shall contain all the like terms and conditions as are contained in By-law No. 8371 of the City of London, passed on the twenty-fourth day of January, A.D. 1927, and the agreement respecting the Victoria Bridge, made between the Corporation and the Company, bearing date the Twenty-sixth day of January, A.D. 1927, except that the City shall pay for the paving of that portion of the track allowances which is above the normal line of the paving of the rest of the bridge, and the rental to be paid by the Company to the Corporation for the use of the said bridge shall be calculated and fixed on the same basis as the rental of the Victoria Bridge was calculated when the rental provided for by the said by-law and agreement was determined, and shall be payable in like manner as the payment of the rental for the use of the said Victoria Bridge is payable under the said by-law and agreement, and the Company shall be bound, when the said bridge is being constructed, to place their track upon the said bridge in the centre thereof, or in such place as the Engineer shall deem advisable, and to grant and convey to the Corporation in consideration of the sum of one dollar that part of lot number 25 on the north side of Dundas Street in the said City of London, conveyed to the Company by deed bearing date the first day of December, A.D. 1921, and registered in the Registry Office for the Registry Division of the City of London, as Number 23236, and the rights-of-way granted to the Company by the said deed.

5. When the bridge now owned by the Corporation, known as the York Street bridge, requires, in the opinion of the Council of the Corporation to be replaced or renewed, the Corporation may construct a new bridge so as to permit of one track of the Company being placed in the centre thereof, or in such other place as the Engineer shall deem advisable, and the Company shall, when the said bridge is completed and ready for use, and before the same is used by the Company, enter into an agreement with the Corporation to pay to the Corporation a rental for the use of such bridge based on the additional cost thereof to the Corporation caused by reason of the bridge being constructed so as to permit the Company's track to be laid thereon, and such agreement shall contain all the like terms and conditions as are contained in the said By-law No. 8371 and the said Agreement respecting the Victoria bridge, made between the Corporation and the Company bearing date the twenty-sixth day of January, A.D. 1927, except that the City shall pay for the paving of that portion of the track allowances which is above the normal line of the paving of the rest of the bridge, and the rental to be paid by the Company to the Corporation for the use of the said bridge shall be calculated and fixed on the same basis as the rental of the Victoria Bridge was calculated when the rental provided for by the said by-law and agreement was determined, and shall be payable in like manner as the payment of the rental for the use of the said Victoria bridge is payable under the said by-law and agreement, and the Company shall be bound, when the said bridge is being constructed, to place their track upon the said bridge in the centre thereof or in such place as the Engineer shall deem advisable and to abandon and give up the rights (if any) of the Company to the use of the York Street Bridge now erected.

6. Permission is hereby given to the Company to discontinue the service on the lines known as the Ottawa or South Belt Line, the North Belt Line, and that part of what is known as the Normal Route which lies north of Dundas Street and East of Richmond Street, and also that part of what is known as the Richmond Route which lies south of Dundas Street.

7. The Company shall establish, maintain and operate a bus system, as follows:

A bus system, with not less than a five-minute service during the hours of 6.15 a.m. to 9.20 a.m. 11.30 a.m. to 1.20 p.m. and 4.30 p.m. to 8.20 p.m., and not less than a ten-minute service during the other hours of the day and up to midnight, starting on the Hamilton Road at East Street and running along the Hamilton Road to Rectory Street, then south on Rectory Street to Nelson Street, then west on Nelson Street to Colborne Street, then north on Colborne Street to York Street, then west on York Street to Clarence Street, then north on Clarence Street to Dundas Street, then

turning to the right on Dundas Street and running along Dundas Street to Wellington Street, then turning to the right on Wellington Street and running along Wellington Street to York Street, then east on York Street, and returning to the starting place on the Hamilton Road by the same route.

A bus system, with not less than a six-minute service during the hours of 6.15 a.m. to 9.20 a.m., 11.30 a.m. to 1.20 p.m. and 4.30 p.m. to 8.20 p.m., and not less than ten-minute service during the other hours of the day and up to midnight, starting on Clarence Street at the intersection of the north side of Dundas Street and Clarence Street, then north along Clarence Street to Dufferin Avenue then east on Dufferin Avenue to Colborne Street, then north on Colborne Street to Victoria Street, and returning, then south on Colborne Street to Dufferin Avenue, then west on Dufferin Avenue to Wellington Street, then south on Wellington Street to Dundas Street and then west on Dundas Street to Clarence Street, the place of commencement.

A bus system, with not less than a ten-minute service, starting in Chelsea Green, at the corner of Terrace Street, then north on Adelaide Street to Grosvenor Street, then west on Grosvenor Street to William Street, and then returning by the same route.

A bus system with not less than an eight-minute service, starting on Emery Street at the intersection of Emery Street and the Wharncliffe Road, then east on Emery Street to Ridout Street, then north on Ridout Street to Dundas Street, then east on Dundas Street to Clarence Street, then south on Clarence Street to York Street, then west on York Street and Stanley Street to the Wharncliffe Road, and then along the Wharncliffe Road to Emery Street, the place of commencement.

A bus system, with not less than a ten-minute service, starting on High Street, at Emery Street, then north on High Street and Wellington Street to York Street, then west on York Street to Clarence Street and along Clarence to Dundas Street, then east on Dundas Street to Wellington Street, and then southerly to the place of commencement, and

A bus system with not less than a twelve-minute service, starting on Quebec Street, at the intersection of Dundas Street and Quebec Street, then north on Quebec Street to Oxford Street, and then turning and returning to Dundas Street, by the same route.

8. The Company shall, before operating any buses, under the authority of this by-law, obtain from the Board of Commissioners of Police of the City of London a license for each bus and shall, at all times, comply with all terms and provisions of the By-law, relating to the owners of motor omnibuses for hire within the city and the drivers thereof, passed by the said Board of Commissioners of Police on the twenty-first day of November, A.D. 1922, and any amendments thereto, and/or any other by-law which may from time to time be passed by the said Board of Commissioners of Police, relating to owners of motor omnibuses used for hire within the city, including the taking out of an insurance policy or policies against accidents for liability to the public and passengers, and for property damage, as provided for by such by-law or by-laws and/or any amendments thereto.

9. All buses used or operated under the authority of this by-law, shall, at all times, be of the most modern design and of a type and seating capacity satisfactory to the Engineer, and shall be kept at all times in a good state of repair to the satisfaction of the Engineer.

10. The speed and service necessary on each of the said bus lines shall be determined from time to time and may be altered, changed or varied by the order of the Engineer, approved by the Council of the Corporation, and all buses shall be run at such intervals as the Engineer, with the approval of the Council of the Corporation, may from time to time determine, and the Council of the Corporation may from time to time, as they may see fit, by a vote of two-thirds of all the members of the Council of the Corporation, change or vary any of the routes provided for by paragraph seven hereof, and the Company shall thereafter run their buses according

to the route or routes so changed or varied by the Council of the Corporation, and the Company shall not of their own motion make any change in any of the said routes without the consent in writing of the Council of the Corporation.

11. The Company shall have, and may exercise, during the continuance of this by-law, an exclusive franchise to construct, complete, maintain and operate within the limits of the City of London as now existing or hereafter extended, a transportation system on the Company's present lines and any extensions or additions thereto, it being the intention that the Company shall not be subject to competition in their business of transporting passengers between points in the City of London, whether such competition be in the nature of motor buses or otherwise. Provided always that this paragraph shall not apply to the operation of motor buses, or other vehicles, running between any point within the City of London and towns and/or villages, whether incorporated or unincorporated, outside the limits of the City of London, so long as such motor buses or other vehicles do not convey passengers from one point within the limits of the City of London to another point therein. Provided also that this paragraph shall not apply to the operation of motor buses or other vehicles during any and all times that the Company is prevented from regularly operating or neglects or fails to regularly operate in accordance with the provisions of said By-law No. 916 and this by-law all or any of their cars and/or buses on all or any of their lines for more than one day. Provided also that this paragraph shall not apply at any time to cabs or taxi cabs, or to vehicles licensed by the Department of Public Highways or vehicles over which the Council of the Corporation has no control.

12. The Council of the Corporation shall pass such by-laws as the Company may request, and as the Council of the Corporation may lawfully pass, to enable the Company to enforce the provisions of such by-law, but the Council of the Corporation shall not be obliged to enforce any such provisions. Provided also, and notwithstanding anything in this paragraph contained, during any and all times that the Company is prevented from regularly operating, or neglects or fails to regularly operate, in accordance with the provisions of said By-law No. 916 and this by-law, all or any of their cars and/or buses on all or any of their lines, for more than one day, the Council of the Corporation, or the Board of Commissioners of Police of the City of London, may authorize the operation of motor buses or other vehicles as public carriers during such time as the Company does not regularly operate, or neglects or fails to regularly operate in accordance with the provisions of said By-law No. 916, and this by-law, all or any of their cars and/or buses on all or any of their lines for more than one day.

13. The Corporation shall have the right, at any time and from time to time, during the continuance of this by-law, to have some one appointed at any time and from time to time, by the Council of the Corporation to examine at any time and from time to time, the books of accounts, vouchers, records, documents, balance sheets and all other papers or documents relating to the affairs of the Company, and to take extracts therefrom.

14. The provisions of this by-law shall, if and when this By-law takes effect as hereinafter provided for, continue for five years only from the time when the said by-law takes effect, and no longer, but subject to earlier determination as provided for by the next succeeding paragraph hereof.

15. If the Company shall, in the opinion of the Council of the Corporation, at any time during the said period of five years fail or neglect to keep, observe, perform or comply with any of the provisions of the said By-law No. 916 as heretofore amended, and as amended by this by-law, the Council of the Corporation may repeal this by-law, and immediately upon the passing of such repealing by-law, the said By-law No. 916 as amended before this by-law takes effect, if it should take effect, and all the agreements, obligations, terms and conditions of or relating to the said By-law No. 916 as heretofore amended, shall immediately be revived and shall be in full force and effect in the same manner and to the same extent, as if this by-law had not been passed.

16. In the event of this by-law not being repealed, as provided for by the next preceding paragraph hereof, this by-law and the agreement hereinafter referred to, shall, at the expiration of the said period of five years from the time when this by-law takes effect, if it should take effect, immediately cease and be at an end, and the said By-law No. 916, as amended before this by-law takes effect, if it should take effect, and all the agreements, obligations, terms and conditions of the said By-law No. 916 as heretofore amended, shall immediately be revived and shall be in full force and effect in all respects in the same manner and to the same extent as if this by-law had not been passed.

17. The Corporation will, if this by-law receives the assent of the electors, as hereinafter provided for, join with the Company in applying to the Legislature of the Province of Ontario for legislation confirming and ratifying this by-law and the agreement to be entered into between the Corporation and the Company (referred to in the eighteenth paragraph of this by-law) and declaring the same to be valid and binding on the Company and the Corporation; all expenses in connection with the procuring of such legislation to be paid and borne by the Company. Provided that the Act of the Legislature so confirming and ratifying this by-law and the said agreement shall contain as a section thereof the words following, or to the like effect, that is to say:

"If the said Company shall, in the opinion of the Council of the Corporation, at any time during the said period of five years, fail or neglect to keep, observe, perform or comply with any of the provisions of said By-law Number 916 as heretofore amended and as amended by the said by-law (being By-law Numbered L.S.R.-1-20 passed on the sixth day of January, A.D. 1930) the Council of the Corporation may, under the provisions of said By-law Numbered L.S.R.-1-20 repeal said By-law Numbered L.S.R.-1-20 and immediately upon the passing of such repealing by-law, said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect, shall be revived, and the said By-law Number 916, as amended, before said By-law Numbered L.S.R.-1-20 takes effect, shall be in full force and effect in all respects, in the same manner, and to the same extent as if said By-law Numbered L.S.R.-1-20 had not been passed. In the event of the Council of the Corporation not repealing said By-law Numbered L.S.R.-1-20 as provided for by the fifteenth paragraph thereof, said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect shall, at the end of the said period of five years, be revived and said By-law Number 916 as amended before said By-law Numbered L.S.R.-1-20 takes effect, shall be in full force and effect in all respects, in the same manner, and to the same extent as if said By-law Numbered L.S.R.-1-20 had not been passed."

18. This by-law and the powers and privileges hereby granted shall not take effect or be binding on the Corporation unless or until formally assented to by the Municipal electors of the said City of London and confirmed and validated by an Act of the Legislature of the Province of Ontario as hereinbefore provided, which Act will contain the section mentioned in paragraph seventeen hereof, nor unless or until accepted by the Company within thirty days after this by-law takes effect, by an Agreement which shall legally bind the Company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained and shall be approved by the City Solicitor, and such Agreement, when so approved, shall be executed under the seal of the Corporation by the Mayor or Chairman of Number One Committee and the City Clerk.

Passed in open Council this sixth day of January, A.D. 1930.

W. J. KILPATRICK, *Mayor*.

S. BAKER, *Clerk*.

Schedule "A."

Articles of Agreement made this first day of February, A.D. 1930.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON (hereinafter
called the Corporation),

of the first part;

—AND—

THE LONDON STREET RAILWAY COMPANY (hereinafter
called the Company),

of the second part.

Whereas by By-law No. 916 respecting The London Street Railway Company, passed on the Twenty-first day of May, A.D. 1895, the consent, permission and authority of the Corporation was given and granted to the Company to construct, complete, maintain and operate during the remainder of the term of fifty years from the Eighth day of March, A.D. 1875, a surface electric street railway on the trolley system upon and along certain streets in the said City of London, particularly mentioned in the said by-law, upon and subject to the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things therein contained;

And whereas By-law No. L.S.R.-1-20 to amend said By-law No. 916 was passed on the Sixth day of January, A.D. 1930, a true copy whereof is hereto annexed;

And whereas these Presents are intended to give effect to said By-law No. L.S.R.-1-20, and to bind the Company to conform to, obey, perform, observe, fulfil and keep all the terms, conditions, agreements, stipulations, regulations, obligations, provisions and things contained in the said by-law, and also to bind the Company as hereinafter provided;

Now these Presents witness that in consideration of the granting of the powers and privileges which are by said By-law No. L.S.R.-1-20 granted by the Corporation to the Company, the Company doth, for itself, its successors and assigns, covenant, promise and agree to and with the Corporation, and its successors, in manner following, that is to say:

That the Company doth hereby accept said By-law No. L.S.R.-1-20, and that the Company, its successors and assigns will, in all things, conform to, obey, perform, observe, fulfil and keep all and every the terms, conditions, agreements, stipulations, regulations, obligations, provisions, and things in the said by-law contained, upon, under and subject to which the said powers and privileges are by the said by-law granted to the Company, and will do and perform all acts, matters and things which the said by-law provides are to be done by or on behalf of the Company, and will not do anything which the said by-law provides is not to be done by the Company;

And the Company also covenants and agrees with the Corporation that nothing in the said By-law No. L.S.R.-1-20 contained shall prejudice, alter or affect any of the rights or powers of the Corporation or of the Council of the Corporation under said By-law No. 916, and the agreement between the Company and the Corporation bearing date the Sixth day of June, A.D. 1895, or the said by-law and agreement, save as amended by said By-law No. L.S.R.-1-20, and that the said By-law No. 916 and the said agreement bearing date the Sixth day of June, A.D. 1895, as amended by said By-law No. L.S.R.-1-20, and as amended, varied or altered by by-laws of the Council of the Corporation heretofore passed, and agreements in writing between the Company and the Corporation entered into in pursuance of such by-laws, shall remain in full force and effect and be valid and binding upon the Company, its successors and assigns.

This Agreement shall not come into force or take effect or be binding upon the parties hereto unless and until the said By-law No. L.S.R.-1-20 and this Agreement are confirmed and validated by an Act of the Legislative Assembly of the Province of Ontario at its next Session.

In witness whereof the parties hereto have hereunto caused to be affixed their Corporate Seals, and the Mayor and Clerk of the Corporation and the President and Secretary of the Company have set their hands the day and year first above written.

Signed, Sealed and Delivered

In the presence of

SCHEDULE "B."

This Agreement made this sixth day of January, One Thousand Nine Hundred and Thirty.

BETWEEN:

CANADIAN NATIONAL RAILWAY COMPANY (hereinafter
called the Railway),

of the first part;

—AND—

THE CORPORATION OF THE CITY OF LONDON (hereinafter
called the City),

of the second part.

Whereas the Railway heretofore constructed its main line tracks through the said City of London and built a railway station in the said City for the accommodation of passengers and established railway yards, team tracks and other railway facilities for the handling of business in the said City of London;

And whereas the City has requested the Railway to build a new station;

And whereas the building of the said new station necessitates the consideration and settlement of grade separation problems in the said City;

And whereas the other works hereinafter set forth and connected with the said grade separation problems are of mutual benefit to the City and the Railway in the general scheme of grade separation;

Now therefore it is agreed by and between the parties hereto as follows:

1. PLANS.

The plan lettered "A" dated the second day of January, one thousand nine hundred and thirty, which shows the Railway's tracks and the proposed subways, bridge, closed streets, reconstruction of street railway tracks, rearrangement of yards and facilities, proposed new level of tracks, together with other details of the proposed construction work; and the plan lettered "B," dated November fifteenth, one thousand nine hundred and twenty-eight, which shows cross section and profile of a typical subway, both of which plans have been identified by the signatures of the parties hereto, shall be considered forming part of this agreement.

2. SUBWAYS.

The Railway shall construct subways so as to permit pedestrian and vehicular traffic to pass under the Railway's tracks in accordance with the details shown on the said plans "A" and "B," upon the following streets in the said City of London, namely: Ridout, Richmond, Wellington, Maitland, Adelaide and Rectory Streets. The subways on Richmond and Wellington Streets shall be completed and ready for use on or before December thirty-first, one thousand nine hundred and thirty-two. The construction of the subways on Ridout, Maitland, Adelaide and Rectory Streets shall not be commenced until requested by the Council of the City and shall not in any event be commenced before the thirty-first day of December, one thousand nine hundred and thirty-two.

The Council of the City shall send each such request to the Railway at least eighteen months before the date fixed for the completion of the subway in respect of which such request is made, but, if any such request should be sent to the Railway less than eighteen months before the date fixed for the

completion of the subway in respect of which such request is made, the Railway shall have such additional time for completion of such subway as will give the Railway eighteen months from the time of the receipt of such request.

The subway on Ridout Street aforesaid, if so requested by the Council of the City, shall be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and thirty-seven, and either the subway on Adelaide Street or the subway on Rectory Street, as hereafter determined by the City, shall, if so requested by the Council of the City, be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and thirty-nine, and the said subways at Adelaide and Rectory Streets shall be completed and open for traffic on or before the thirty-first day of December, one thousand nine hundred and forty-two.

All subways shall be sixty-six (66) feet in width between abutments, with supporting columns placed in the centre of the said subways so as to leave a roadway twenty-one (21) feet in width, and a sidewalk eight and one-half ($8\frac{1}{2}$) feet wide on each side of the said columns, with clear headroom from the roadway pavement level of the said subway of fourteen (14) feet and a clear headroom over the said sidewalks of not less than eight and one-half ($8\frac{1}{2}$) feet.

Ridout Street Subway.

The grade on the roadway approaches to the Ridout Street Subway shall not exceed five per cent. (5%).

Richmond Street Subway.

The grade on the roadway approaches to the Richmond Street Subway shall not exceed six per cent. (6%).

This subway shall be constructed to the existing southerly curb line of Bathurst Street and the pavement on Bathurst Street shall be raised to the new grade of the Railway's tracks at this point so that the roadway shall be constructed over the said subway. The sidewalks on each side of Richmond Street northerly of the Railway's tracks shall be retained on their existing levels to the southerly limit of the London Shoe Building on the easterly side of Richmond Street and to the southerly limit of the easterly entrance of the Tecumseh Hotel on the westerly side of Richmond Street, the sidewalks shall then be graded from the aforesaid points to the standard grade level of the sidewalks in the subway.

On the southerly side of Bathurst Street a covered stairway shall be constructed to give access to the westerly subway sidewalk from the Bathurst Street level.

The sidewalks of the southerly approach to the subway shall be retained at their existing level as far northerly as possible and then graded to the standard grade level of the sidewalks in the subway in order to reduce to a minimum the length of retaining walls along buildings.

Wellington Street Subway.

As Wellington Street is one hundred and thirty-two (132) feet in width roadways shall also be constructed on both sides of the subway at the northerly end thereof to provide entrances into adjoining properties at existing grades and at the southerly end of the said subway these roadways shall be so constructed as to provide access to and from Bathurst Street to Wellington Street.

The grade on the roadway approaches to the Wellington Street Subway shall not exceed six per cent. (6%).

Maitland Street Subway.

The grade on the roadway approaches to the Maitland Street Subway shall not exceed six per cent. (6%).

The construction of the subway on Maitland Street shall not in any event be commenced before the thirty-first day of December, one thousand nine hundred and forty-five, and shall, if so requested by the Council of the City, be completed and open for traffic within two years thereafter.

Adelaide Street Subway.

The grade on the roadway approaches to the Adelaide Street Subway shall not exceed six per cent. (6%).

Rectory Street Subway.

The grade on the roadway approaches to the Rectory Street Subway shall not exceed five per cent. (5%).

In order to construct the Ridout, Richmond and Wellington Street Subways, it is necessary for the Railway to raise the level of its tracks from a point near the Railway's bridge over the Thames River to a point at or near Waterloo Street. The maximum elevation of the said tracks shall be four (4) feet more or less, the detail of the proposed new level being shown on said Plan "A."

3. EGERTON STREET BRIDGE.

The Railway shall construct an overhead bridge for vehicular and pedestrian traffic over the Railway's tracks on Egerton Street with a roadway of at least thirty-two feet in width and a sidewalk at least six feet (6) wide on both sides of the said bridge. A roadway with necessary pavement and sidewalks shall be constructed by the City from the intersection of Mabel Street and Egerton Street to Bridges Street and a roadway with the necessary pavement and sidewalks shall also be constructed by the City from the southerly end of the southerly approaches of the said bridge to the southerly limit of Pine Street as shown on the said Plan "A," and the cost of such pavements and sidewalks shall be deemed part of the cost of construction provided for by paragraph twelve of this Agreement to be assumed, borne and paid for, by the parties hereto and any other parties mentioned in paragraph twelve hereof, in accordance with the order or orders of The Board of Railway Commissioners for Canada (hereinafter called the Board), as provided for by paragraph twelve hereof.

The construction of the said bridge on Egerton Street will necessitate the relocation of the main line of the Thorndale Subdivision of the Railway, and it is agreed that the relocated main line will cross Gore, Brydges and Swinyard Streets at the grade level. The construction of the bridge on Egerton Street shall not be commenced before the thirty-first day of December, nineteen hundred and thirty-two, but shall be completed and open for traffic on or before the thirty-first day of December, nineteen hundred and thirty-seven.

4. STREETS TO BE CLOSED.

The City agrees to close those portions of Talbot, Clarence, Waterloo Colborne, Burwell, and William Streets, lying between the productions of the northerly and southerly limits of the Railway's lands across the said streets as shown on the said Plan "A." The said portion of Clarence Street shall be closed forthwith; the said portion of Waterloo Street shall be closed upon the completion of the Wellington Street Subway and the opening of the same for traffic and the said portions of Colborne, Burwell and William Streets shall be so closed when the Adelaide Street Subway has been completed, and opened for traffic. Ridout Street and Talbot Street shall not be unnecessarily obstructed until the subways at Wellington Street and Richmond Street have been completed and opened for traffic, at which time the said portion of Talbot Street shall be closed.

5. CONSTRUCTION OF NEW STATION.

The Railway, at its own risk and expense, shall remove the existing station of the Railway and shall construct a new modern station in lieu thereof at or near the site of the existing station, at its own risk and expense; such new station to be reasonably fit for the needs of the inhabitants of the

said City of London and the travelling public. The work of constructing such new station shall be completed and the said new station shall be ready for use on or before the thirty-first day of December, one thousand nine hundred and thirty-two.

6. PEDESTRIAN SUBWAY TO LONDON AND PORT STANLEY PLATFORM.

The Railway shall construct a pedestrian subway as shown on the said plan "A" and provide adequate facilities for the expeditious handling of baggage from the southerly side of the proposed new station to the northerly side of The London and Port Stanley Railway Company's platform near or on Bathurst Street, together with the necessary covered stairways at both ends thereof and stairway approaches therefrom to passenger tracks southerly of the new station, and a covered stairway from The London and Port Stanley Railway Company's said platform to the easterly sidewalk of the Richmond Street Subway.

7. DRAINAGE OF SUBWAYS.

(a) The Railway shall construct the necessary pump houses and install therein the necessary drainage pumps in connection with the subways on Maitland, Adelaide and Rectory Streets, and the City shall at its own expense maintain, repair and operate the said pump-houses and drainage pumps.

(b) The City shall construct a sewer on Bathurst Street to drain the subways on Richmond, Wellington and Ridout Streets, and the cost of constructing the said sewer shall be deemed part of the cost of construction provided for by paragraph twelve of this Agreement and shall be assumed, borne and paid for in accordance with the order or orders of the Board, as provided for by paragraph twelve hereof. Should the said sewer be constructed as an intercepting sewer, taking the drainage from points other than the said subways, the increased cost by reason thereof shall be borne by the City.

8. CONSTRUCTION WORK.

The Railway shall perform in a workmanlike manner, and in accordance with plans approved by the Board, the work of constructing the said subways, bridge, pedestrian subway, raising of railway grades, relocation of railway tracks, station and all works incidental thereto, including bridges for support of railway tracks over subways, abutments, retaining walls, including the retaining wall on the south side of The London and Port Stanley Railway Company's tracks between Wellington and Richmond Streets, grading of approaches, and the City shall perform the work of laying of sidewalks and pavements in the subways and approaches thereto and on the overhead highway bridge, and shall also perform the work of constructing sewers, water mains and other facilities of the City affected by the said works. The work of rearranging and/or reconstructing sewers, drains, watermains, and water pipes, electric light and power wires, shall be performed by the City and/or The Public Utilities Commission of the City of London, and the work of rearranging and/or reconstructing gas mains may be performed by the City Gas Company of London, and the work of rearranging and/or reconstructing telephone and telegraph wires may be performed by the Companies owning or operating such telephone or telegraph wires, and the cost of all such rearranging and reconstructing shall be deemed part of the cost of construction provided for by paragraph twelve of this agreement and shall be assumed, borne and paid for in accordance with the order or orders of the Board, as provided for by paragraph twelve hereof.

9. RELOCATION OF TRACKS OF OTHER RAILWAYS.

The City is the lessee of The London and Port Stanley Railway Company and The London and Port Stanley Railway is practically owned by the City, and the City agrees that the tracks of The London and Port Stanley Railway Company shall be diverted from Bathurst Street and reconstructed over the new subway on Wellington Street, as shown on the said Plan "A". The construction of the said subway on Wellington Street

shall be carried out in such a manner as to cause as little inconvenience as possible to the business of The London and Port Stanley Railway Company, and one through track of the said The London and Port Stanley Railway company shall, during such construction, be available for The London and Port Stanley Railway Company at all times, and the tracks of The London and Port Stanley Railway Company between Richmond and Waterloo Streets, when elevated, shall conform to the grade of the Railways tracks when elevated, and the tracks of The London and Port Stanley Railway Company, west of Richmond Street shall be provided with suitable and convenient approaches to the terminal facilities of The London and Port Stanley Railway Company.

As shown on the said plan "A" it is necessary to relocate the tracks of the Michigan Central Railroad Company in the vicinity of Wellington Street and should the said Michigan Central Railroad Company not approve of the proposed re-location of their tracks the matter in dispute shall be referred to the Board for settlement.

10. FREIGHT SHED AND ENGINE HOUSE PROPERTY OF THE LONDON AND PORT STANLEY RAILWAY COMPANY.

If the Railway decides to use the land upon which the freight sheds and freight yards and/or the engine house property of The London and Port Stanley Railway Company are situated, the Railway shall, before taking possession of the same, provide for The London and Port Stanley Railway Company another site suitable and convenient for The London and Port Stanley Railway Company for their freight shed and freight tracks and will erect thereon a suitable freight shed, and the cost of the said site, and freight shed, and also the cost of the driveways, and the cost of laying the necessary freight tracks on the said site for The London and Port Stanley Railway Company shall be assumed, borne and paid for by the Railway. The City shall ensure that the lands of The London and Port Stanley Railway Company required by the Railway hereunder as shown colored in yellow on the said plan "A" shall be transferred to the Railway free from encumbrances of every nature forthwith upon the transfer of the new site to The London and Port Stanley Railway Company by the Railway. If the Railway decides to use the said land shown colored in yellow on the said plan "A", The London and Port Stanley Railway Company, may at its option, elect to be paid in cash by the Railway for the said land so taken by the Railway instead of the Railway providing another site suitable and convenient for The London and Port Stanley Railway Company for their freight shed and freight tracks and erecting thereon a suitable freight shed and paying for the cost of the said site and freight shed, and also the cost of the driveways and the cost of laying the necessary freight tracks on the said site for The London and Port Stanley Railway Company, the price to be so paid in cash to be agreed upon between the Railway and The London and Port Stanley Railway Company, and if they fail to agree to be fixed and determined in accordance with the provisions of paragraph twenty-two hereof.

11. LABOUR.

The workmen and labourers employed in or about the construction work, provided for herein, by Contractors carrying out the work on behalf of the Railway shall be paid such rates of wages as may be currently payable to workmen and labourers engaged in similar occupations in the immediate vicinity of the said City of London, but this clause shall not apply to employees of the Railway.

12. DIVISION OF COST.

Except as otherwise provided in this Agreement, the cost of all the works of construction herein provided for such as raising of grade and re-location of the Railway tracks, including the main line of the Thorndale subdivision of the Railway, and including The London and Port Stanley Railway Company's tracks, overhead system and terminal facilities,

construction of subways, pedestrian subway, facilities for handling baggage between the new station and The London and Port Stanley Railway Company's platform, bridges, roadways and the re-location of Street Railway tracks, construction of pump houses and drainage pumps, re-location of other public facilities such as telephone pole lines and conduits, sewers, water mains, pavements and sidewalks, gas mains and all other works of whatsoever nature affected by the proposed work herein provided for, together with the cost of all lands purchased for such works and all compensation, awards, damages, costs and expenses awarded to owners of such lands and/or adjoining properties by reason of the construction of the works herein provided for, shall be assumed, borne and paid for in accordance with the order or orders of the Board, and both parties hereto shall endeavour to have the cost properly divided between the Railway, the City, The London Street Railway Company, The London and Port Stanley Railway Company, the Michigan Central Railroad Company and all public utility companies whose works are affected or disturbed by the work herein provided for.

13. MAINTENANCE AND REPAIR.

The Railway shall at its own risk and expense maintain and repair the main structures of the bridges supporting the Railway tracks over the subways, the retaining walls on Railway property, that part of the westerly retaining wall of the Wellington Street Subway which will lie north of a straight line drawn easterly across Wellington Street in continuation of the southerly limit of the Railway's property which adjoins Wellington Street on the west and south of a straight line drawn easterly across Wellington Street in continuation of the northerly limit of the Railway's property which adjoins Wellington Street on the west, and all that part of the easterly retaining wall of the said Wellington Street Subway which will lie north of a straight line drawn westerly across Wellington Street in continuation of the southerly limit of the Railway's property which adjoins Wellington Street on the East, and the bridge on Egerton Street (exclusive of the approaches thereto).

Save and except as hereinbefore provided, the City shall, at its own risk and expense, maintain and repair the retaining walls outside of the limits of the Railway's right of way, the roadways, sidewalks, sewers, including the sewer to be constructed on Bathurst Street as aforesaid, water mains and other municipal works in the said subways and on the said highway bridge.

14. PROTECTION OF PUBLIC DURING CONSTRUCTION.

The Railway shall, while any work to be done hereunder by the Railway is in progress in any of the streets of the City of London, or any portion thereof, keep and maintain such barriers, watchmen and lights, and take such other care and protection as may be necessary, or which the Engineer for the time being of the City may require for the protection and safety of the public and of property and the cost thereof shall be considered part of the cost of such work.

15. MAINTENANCE AND REPAIR OF PUBLIC FACILITIES.

The City and The Public Utilities Commission of the City of London and their respective officers, servants and contractors, shall have the right without expense to the Railway, from time to time, and at all times hereafter, to take up the streets, or such of them, or such part or parts thereof, as they may from time to time see fit, not only under the subways to be constructed as aforesaid, but also in the parts of the streets which, by the terms of this agreement, are to be closed, both before and after the closing of the same, for the purpose of constructing, and/or repairing drains, sewers and/or culverts, and for laying down and/or repairing water pipes and/or for placing, repairing, renewing and/or replacing electric light and/or other wires, and/or for any other purpose for the time being within the powers, privileges, duties or obligations of the City and/or The Public Utilities Commission of the City of London.

Provided that all such works shall be performed in accordance with the orders and regulations of the Board applicable thereto, and if the Railway deems it necessary or desirable, under the supervision and to the satisfaction of an engineer designated by the Railway.

16. LIGHTING OF SUBWAYS.

The City shall at its own expense properly light the said subways whenever necessary.

17. INDEMNITY.

The Railway shall indemnify and save harmless the City from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, arising by reason of loss, damage or injury to person or property caused by or resulting from the work performed by the Railway hereunder and the City shall indemnify and save harmless the Railway from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings arising by reason of loss, damage or injury to person or property arising out of the works to be performed by the City hereunder, or arising in any manner out of the use of the said subways, bridge and approaches thereto at any time after same have been completed and are in operation (except when such loss, damage or injury shall have been due to the negligence of the Railway or its employees,) it being the intention of this Agreement that the Railway shall not be liable for any loss, damage or injury occurring in the said subways or on the said bridge or approaches thereto by reason of grades, columns or stairways of such subways, bridge or approaches thereto or any other special feature of construction. Liability for all claims and demands, loss, costs, damages, actions, suits or other proceedings arising by reason of loss, damage or injury to person or property caused by or resulting from work performed jointly by the Railway and the City hereunder shall be divided between the parties hereto in the proportion fixed by the Board in dividing the original cost of the works herein provided for between the parties.

Liability for other loss, damage or injury arising hereunder for which the parties hereto are jointly liable shall be divided between the parties in accordance with the responsibility of each party. Should proceedings be commenced against one party hereto for loss, damage or injury for which the other party hereto is liable such other party shall at once assume the defence of such proceedings and save the other party hereto harmless from all loss, costs and expenses in connection therewith. Should proceedings be commenced against one party hereto for loss, damage or injury for which both parties hereto are jointly liable the other party shall assist in defending and shall assume its proper proportion of all costs, damages and awards resulting therefrom. Should proceedings be commenced against both parties hereto for loss, damage or injury for which one party hereto is solely responsible such party shall at once assume the defence of such proceedings and save the other party hereto harmless from all loss, costs, expenses and awards resulting therefrom.

18. EMPLOYEES OF THE CITY ON RAILWAY PREMISES AT THEIR OWN RISK.

All compensation awards or payments made to the employees of the City engaged in constructing or installing any of the works hereunder which are to be constructed or installed by the City shall be added to the cost of the general work and shall be assumed, borne and paid for in accordance with the order or orders of the Board as provided by paragraph twelve hereof. Provided that all employees of the City entering upon the premises of the Railway for the purpose of maintaining, repairing or using any of the works herein provided for shall do so at the risk of the City and the Railway shall not be liable for any loss, damage or injury in any manner sustained by such employees while on the Railway's premises and the City shall indemnify and save harmless the Railway from and against all claims and demands arising by reason of such loss, damage or injury.

19. TAXES.

As provided in paragraph twelve hereof, the entire cost of reconstruction of sidewalks, pavements, water mains, sewers and other municipal works shall be considered as part of the total cost of constructing the works herein provided for and shall be assumed, borne and paid for in accordance with the order or orders of the Board. No local improvement or special tax (exclusive of general rates) shall be levied or assessed against the Railway for the cost of the works herein provided for, and except as aforesaid, nothing herein contained shall relieve the Railway from assessment for or payment of any general, local improvement or special tax.

20. TEAMWAY ON YORK STREET.

The Railway intends constructing at its own expense freight sheds on the Railway's lands fronting on York Street, as shown on the said Plan "A", and the City agrees that a portion of York Street twenty-five feet in width, lying along the southerly side of York Street, between Wellington and Waterloo Streets, may be used by the Railway for teamway purposes, and the Railway shall construct and at all times keep in repair, at its own expense, the pavement on the said portion of York Street.

If the City deems it necessary, on account of the use of the said portion of York Street for teamway purposes, the City may widen the pavement on the north side of York Street between Wellington and Waterloo Streets opposite such portion of the street and in the event of the City's so doing the cost of such widening shall be assumed by the Railway and shall not be included in the general cost of the other works herein provided for.

21. TRACKS AT GRADE LEVEL.

As shown on said Plan "A", there are at present five railway tracks constructed across Adelaide Street at the grade level of the said street between Simcoe and Bathurst Streets and also a railway track at grade level across the intersection of Bathurst and William Streets. After completion of the said subway on Adelaide Street, the aforesaid tracks may remain in their present position until the parties agree that the traffic requirements on Adelaide Street necessitate the removal of the tracks leading to the engine terminal therefrom and their reconstruction in the position indicated by the dotted lines on the said Plan "A", easterly of Adelaide Street and crossing Bathurst Street at grade level of the said streets. The cost of re-locating said tracks leading to the Roundhouse as well as re-locating the Coal Chute, Cinder Pits, Stand Pipes and other facilities, including the purchase of necessary real estate and land damages, if any, shall be divided between the Railway and the City, in accordance with the order or orders of the Board relative thereto.

22. DISPUTES.

All disputes arising between the parties hereto with respect to the works herein provided for and which cannot be amicably adjusted by the parties hereto shall be referred to the Board for settlement. Should the Board decline to act such dispute or disputes shall be submitted to arbitration in the following manner:

The party desiring such reference shall appoint an arbitrator who shall be a disinterested person and give notice thereof and of intention to refer to the other party, who shall within thirty days after receipt of such notice appoint on its behalf an arbitrator who shall be a disinterested person, in default of which such an arbitrator on behalf of such other party may be appointed by one of the Judges of the Supreme Court of Ontario on the application of the party desiring such reference after ten days' notice to the other party. The two arbitrators so appointed or selected shall select a third and the award of the said three arbitrators or a majority of them made after due notice to both parties of the time and place of hearing the matter referred and hearing the party or parties who may attend shall be final and binding on both parties hereto and they expressly agree to abide thereby. In case the two arbitrators first appointed fail to appoint a third within ten days after they have both been appointed then the third arbi-

trator may be appointed by one of the Judges of the Supreme Court of Ontario on the application of either party after ten days' notice to the other. In case of death or the refusal or inability to act of any arbitrator or if for any cause the office of any arbitrator becomes vacant his successor shall be appointed in the same manner as is provided for his first appointment in the first instance unless the parties otherwise agree. The arbitrators appointed shall have all the powers given by The Arbitration Act (Revised Statutes of Ontario, 1927, Chapter 97) to arbitrators.

23. CANCELLATION.

This agreement cancels and supersedes all agreements heretofore made between the City and The Grand Trunk Railway Company of Canada and/or the Railway respecting the construction of a new station, protection at Highway crossings herein referred to and all municipal facilities constructed under the Railway's tracks which are to be removed under the provisions hereof, but shall not prejudice any existing rights of the Railway or of The London and Port Stanley Railway Company under the provisions of an Indenture dated the twenty-fifth day of April, one thousand eight hundred and seventy and made between The Great Western Railway Company of Canada and The London and Port Stanley Railway Company.

24. APPROVAL OF AGREEMENT.

This agreement shall not come into force or take effect unless and until it has been approved of by the Board, assented to by the Municipal electors of the City of London and validated by an Act of the Legislature of the Province of Ontario.

In witness whereof the Railway has hereunto caused to be affixed its Corporate Seal, and the Vice-President and Secretary have set their hands, and the City has hereunto caused to be affixed its Corporate Seal, and the Mayor and Clerk have set their hands, the day and year first above written.

SIGNED, SEALED AND DELIVERED
In the Presence of

CANADIAN NATIONAL RAILWAY COMPANY

Vice-President

Secretary

THE CORPORATION OF THE CITY OF LONDON

Mayor

Clerk

BILL.

An Act respecting the City of London.

1st Reading

February 18th, 1930

2nd Reading

March 21st, 1930

3rd Reading

March 25th, 1930

MR. MOORE

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to incorporate the Town of Harrow.

MR. SMITH (Essex South)

(PRIVATE BILL)

No. 34.

1930.

BILL

An Act to incorporate the Town of Harrow.

Preamble.

WHEREAS the police village of Harrow has been in existence for a number of years and is a part of the township of Colchester South in the county of Essex and is situated a short distance from the north shore of Lake Erie; and whereas the shore of Lake Erie just south of the said police village is becoming a very important part of the township of Colchester South, particularly at the villages of Oxley and Colchester, where many subdivisions are being laid out and built upon both for summer and permanent residences, and the district is rapidly growing in population and is in process of not only becoming a popular summer resort but also for permanent residences for the inhabitants of Windsor, Border towns and cities and the city of Detroit; and whereas the said police village of Harrow is and will continue to be the market place for this growing district; and whereas the said police village is destined to grow and ultimately will form an important centre for this part of the county of Essex; and whereas the statutory powers of a village are too limited to enable proper service to be given to the village and adjoining districts; and whereas by reason of the aforesaid facts the trustees of the said police village of Harrow, requiring fuller powers to enable it to cope with the rapid growth of the village and district, has petitioned for the passing of this Act of incorporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Incorporation.

1. The inhabitants of the lands described in section 2 are hereby constituted a corporation or body politic under the name of "The Corporation of the Town of Harrow," separate and apart from the township of Colchester South.

Boundaries of town.

2. The said town of Harrow shall comprise and consist of all that part of the said township of Colchester South described as follows:

All and singular that certain parcel or tract of land and premises, situate, lying and being in the township of Colchester South, including the whole of the police village of Harlow, in the county of Essex and Province of Ontario, being composed of part of lot nine (9) and all of lot ten (10) in the second concession, part of lots seven (7), twelve (12) and thirteen (13) in the Gore, part of the road between the Gore and second concessions, part of the road between the second and third concessions, and part of the road between lots seven (7) and twelve (12) in the Gore, all in the said township of Colchester South, and which said parcel or tract may be more particularly described as follows:

Commencing at the intersection of the centre line of the third concession road, with the northerly production of the limit between lots 10 and 11 in the second concession; thence westerly, following the centre line of the road between concessions two and three, four thousand eight hundred and seventy-one feet (4,871 feet) more or less to the northerly production of the easterly limit of the Roseborough Road (or road between lots 8 and 9 in the second concession; thence southerly to and along the easterly limit of the Roseborough Road, three thousand eight hundred and nineteen feet (3,819 feet) more or less, to the northerly limit of the road between the Gore and second concessions; thence easterly, following the last-mentioned limit, fifty-six feet (56 feet) more or less, to a point distant one thousand and thirty-seven feet (1,037 feet) measured westerly along the northerly limit of the road between the Gore and second concessions, from the northerly production of the westerly limit of the road between lots 7 and 12, in the Gore; thence southerly parallel with the westerly limit of the road between lots 7 and 12, in the Gore, one thousand one hundred and forty-nine feet (1,149 feet) more or less, to a wire fence forming the limit between the property of Thos. Bondy and Norman Wright; thence southeasterly, following the last-mentioned limit one thousand and ninety-six feet (1,096 feet) more or less to a point in the westerly limit of the road between lots 7 and 12 in the Gore, distant one thousand four hundred and thirty-nine feet (1,439 feet) measured southerly in the last-mentioned limit from the southerly limit of the road between the Gore and second concessions; thence easterly at right angles to the said westerly limit of the road

between lots 7 and 12 in the Gore, sixty-six feet (66 feet) to the easterly limit of said road; thence southerly, following the last-mentioned limit, six hundred and eight-two feet (682 feet) more or less, to the limit between the north half and south half of lot 12, in the Gore; thence easterly, following the limit between the north half and south half of lots 12 and 13 in the Gore, four thousand one hundred and thirty-nine feet (4,139 feet) more or less to the limit between lots 13 and 14 in the Gore; thence northerly, following the last-mentioned limit, and its northerly production, two thousand three hundred and seventy feet (2,370 feet) more or less, to a point distant two hundred and seventeen feet (217 feet) measured northerly along the northerly production of the line of lots 13 and 14 in the Gore, from the northerly limit of the road between the Gore and second concessions; thence westerly, parallel with the last-mentioned limit, four hundred and twenty-six feet (426 feet) more or less, to the limit between lots 10 and 11 in the second concession; thence northerly, following the last-mentioned limit three thousand six hundred and nineteen feet (3,619 feet) more or less, to the place of beginning. Containing by admeasurement the sum of six hundred and seventy acres (670 acres) be the same more or less.

Composition
of council.

3.—(1) The council of the town shall consist of a mayor, reeve and three councillors. Edmund Firlde Darby shall be the first mayor; William Harold Ferris shall be the first reeve; and Edgar Roy Brimmer, John Baptiste Beaudoin and Allan Cornelius Quick shall be the first councillors.

Term of
office.

(2) The first mayor shall hold office for the remainder of the year 1930 and until his successor is appointed and has taken his declaration of office.

(3) The first reeve shall hold office for the remainder of the year 1930 and until his successor is appointed and has taken his declaration of office.

(4) The first councillors shall hold office for the remainder of the year 1930 and until their successors have been appointed or elected, and have taken their declaration of office.

Vacancies.

(5) In case a vacancy occurs from any cause prior to the 31st day of December, 1930, in the office of mayor, reeve or councillors, the council shall forthwith appoint a person to fill the vacancy and he shall hold office for the remainder of the term for which his predecessor was appointed.

Representa-
tion in
county coun-
cil for 1930.

4. Until the 31st day of December, 1930, the town shall be represented in the council of the county by the mayor only.

Power of
Lieutenant-
Governor to
remove
members of
council.

5. The Lieutenant-Governor in Council at any time before the 31st day of December, 1930, may remove the mayor, reeve or any councillor and appoint a person to hold office for the remainder of the term of his predecessor.

Assessment
for 1931.

6. The council of the said town may pass a by-law for taking the assessment of the said town for the year 1931 between the first day of July and the first day of October, 1930, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the first day of November, 1930, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the judge, four weeks from that day.

Restriction
on stopping
up highways.

7. No highway existing at the time of the passing of this Act shall be stopped up or closed before the 31st day of December, 1930, without the consent of the Lieutenant-Governor in Council, who shall have full authority to stop up and close any highway on such terms as to diversion or otherwise as shall seem just.

Area of
town
separated
from
township

8. The land comprised in the said town is hereby detached from the township of Colchester South, and the town shall form a separate and independent municipality.

Application
of Rev.
Stat., c. 233.

9.—(1) Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns, shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*.

Adjustment
of assets and
liabilities.

(2) The provisions of *The Municipal Act* as to the adjustments of assets and liabilities and as to matters consequent on the formation of new corporations, shall apply as if the said land had been erected into a village under the provisions of that Act instead of a town.

Wards.

10. The Railway and Municipal Board may divide the town into wards in accordance with *The Municipal Act* after the election of the council for the year 1931 has been held.

Expenses
of Act.

11. The expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds, plans, and any matters whatsoever required by the clerk or other officer of the said town or otherwise shall be borne by

the said town and paid by it to any person who may be entitled thereto.

Existing
school
section not
affected.

12. The land comprised in the said town shall be and remain a part of the existing school section for all purposes as though this Act had not been passed, until a by-law approved by the Minister of Education has been passed by the council of the said village for the establishment of an urban school board.

Collection
of arrears
of taxes.

13. Notwithstanding anything in this Act contained, the town of Harrow shall continue to have full power and authority to levy, collect and retain and use for its own purposes all taxes properly levied or assessed or in process of being levied or assessed against any of the lands herein described down to and including taxes for the year 1929 as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to incorporate the Town of Harrow.

1st Reading

2nd Reading

3rd Reading

MR. SMITH (Essex South)

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to incorporate the Town of Harrow.

MR. SMITH (Essex South)

BILL

An Act to incorporate the Town of Harrow.

Preamble.

WHEREAS the police village of Harrow has been in existence for a number of years and is a part of the township of Colchester South in the county of Essex and is situated a short distance from the north shore of Lake Erie; and whereas the shore of Lake Erie just south of the said police village is becoming a very important part of the township of Colchester South, particularly at the villages of Oxley and Colchester, where many subdivisions are being laid out and built upon both for summer and permanent residences, and the district is rapidly growing in population and is in process of not only becoming a popular summer resort but also for permanent residences for the inhabitants of Windsor, Border towns and cities and the city of Detroit; and whereas the said police village of Harrow is and will continue to be the market place for this growing district; and whereas the said police village is destined to grow and ultimately will form an important centre for this part of the county of Essex; and whereas the statutory powers of a village are too limited to enable proper service to be given to the village and adjoining districts; and whereas by reason of the aforesaid facts the trustees of the said police village of Harrow, requiring fuller powers to enable it to cope with the rapid growth of the village and district, has petitioned for the passing of this Act of incorporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Incorporation.

1. The inhabitants of the lands described in section 2 are hereby constituted a corporation or body politic under the name of "The Corporation of the Town of Harrow," separate and apart from the township of Colchester South.

Boundaries of town.

2. The said town of Harrow shall comprise and consist of all that part of the said township of Colchester South described as follows:

All and singular that certain parcel or tract of land and premises, situate, lying and being in the township of Colchester South, including the whole of the police village of Hariow, in the county of Essex and Province of Ontario, being composed of part of lot nine (9) and all of lot ten (10) in the second concession, part of lots seven (7), twelve (12) and thirteen (13) in the Gore, part of the road between the Gore and second concessions, part of the road between the second and third concessions, and part of the road between lots seven (7) and twelve (12) in the Gore, all in the said township of Colchester South, and which said parcel or tract may be more particularly described as follows:

Commencing at the intersection of the centre line of the third concession road, with the northerly production of the limit between lots 10 and 11 in the second concession; thence westerly, following the centre line of the road between concessions two and three, four thousand eight hundred and seventy-one feet (4,871 feet) more or less to the northerly production of the easterly limit of the Roseborough Road (or road between lots 8 and 9 in the second concession; thence southerly to and along the easterly limit of the Roseborough Road, three thousand eight hundred and nineteen feet (3,819 feet) more or less, to the northerly limit of the road between the Gore and second concessions; thence easterly, following the last-mentioned limit, fifty-six feet (56 feet) more or less, to a point distant one thousand and thirty-seven feet (1,037 feet) measured westerly along the northerly limit of the road between the Gore and second concessions, from the northerly production of the westerly limit of the road between lots 7 and 12, in the Gore; thence southerly parallel with the westerly limit of the road between lots 7 and 12, in the Gore, one thousand one hundred and forty-nine feet (1,149 feet) more or less, to a wire fence forming the limit between the property of Thos. Bondy and Norman Wright; thence southeasterly, following the last-mentioned limit one thousand and ninety-six feet (1,096 feet) more or less to a point in the westerly limit of the road between lots 7 and 12 in the Gore, distant one thousand four hundred and thirty-nine feet (1,439 feet) measured southerly in the last-mentioned limit from the southerly limit of the road between the Gore and second concessions; thence easterly at right angles to the said westerly limit of the road

between lots 7 and 12 in the Gore, sixty-six feet (66 feet) to the easterly limit of said road; thence southerly, following the last-mentioned limit, six hundred and eight-two feet (682 feet) more or less, to the limit between the north half and south half of lot 12, in the Gore; thence easterly, following the limit between the north half and south half of lots 12 and 13 in the Gore, four thousand one hundred and thirty-nine feet (4,139 feet) more or less to the limit between lots 13 and 14 in the Gore; thence northerly, following the last-mentioned limit, and its northerly production, two thousand three hundred and seventy feet (2,370 feet) more or less, to a point distant two hundred and seventeen feet (217 feet) measured northerly along the northerly production of the line of lots 13 and 14 in the Gore, from the northerly limit of the road between the Gore and second concessions; thence westerly, parallel with the last-mentioned limit, four hundred and twenty-six feet (426 feet) more or less, to the limit between lots 10 and 11 in the second concession; thence northerly, following the last-mentioned limit three thousand six hundred and nineteen feet (3,619 feet) more or less, to the place of beginning. Containing by admeasurement the sum of six hundred and seventy acres (670 acres) be the same more or less.

Composition
of council.

3.—(1) The council of the town shall consist of a mayor, a reeve and three councillors and an election, under the provisions of *The Municipal Act*, shall be held within one month from the coming into force of this Act, or as soon as may be thereafter, for the purpose of electing persons to fill such offices, and all the provisions of *The Municipal Act* respecting the annual election of members of councils for towns, except as herein provided respecting the number of members of the council shall apply.

(2) The board of trustees of the police village of Harrow and the secretary of such board shall, in such election, respectively perform the duties assigned by *The Municipal Act* to the council and clerk of a town.

Assessment
for 1931.

4. The council of the said town may pass a by-law for taking the assessment of the said town for the year 1931 between the first day of July and the first day of October, 1930, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the first day of November, 1930, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the judge, four weeks from that day.

5. The land comprised in the said town is hereby detached from the township of Colchester South, and the town shall form a separate and independent municipality. Area of town separated from township

6.—(1) Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns, shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*. Application of Rev. Stat., c. 233.

(2) The provisions of *The Municipal Act* as to the adjustments of assets and liabilities and as to matters consequent on the formation of new corporations, shall apply as if the said land had been erected into a village under the provisions of that Act instead of a town. Adjustment of assets and liabilities.

7. The Railway and Municipal Board may divide the town into wards in accordance with *The Municipal Act* after the election of the council for the year 1931 has been held. Wards.

8. The expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds, plans, and any matters whatsoever required by the clerk or other officer of the said town or otherwise shall be borne by the said town and paid by it to any person who may be entitled thereto. Expenses of Act.

9. The land comprised in the said town shall be and remain a part of the existing school section for all purposes as though this Act had not been passed, until a by-law approved by the Minister of Education has been passed by the council of the said village for the establishment of an urban school board. Existing school section not affected.

10. Notwithstanding anything in this Act contained, the township of Colchester South shall continue to have full power and authority to levy, collect and retain and use for its own purposes all taxes properly levied or assessed or in process of being levied or assessed against any of the lands herein described down to and including taxes for the year 1929 as fully and effectually as if this Act had not been passed. Collection of arrears of taxes.

11. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL.

An Act to incorporate the Town of Harrow.

1st Reading

February 11th, 1930

2nd Reading

March 5th, 1930

3rd Reading

March 24th, 1930

MR. SMITH (Essex South)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Leaside.

MR. MACAULAY

(PRIVATE BILL)

No. 35.

1930.

BILL

An Act respecting the Town of Leaside.

Preamble.

WHEREAS the municipal corporation of the town of Leaside has by its petition represented that by-law number 230 was passed on the 29th day of January, 1930, to authorize the borrowing of two hundred thousand dollars (\$200,000) upon debentures, to pay for the portion of the cost of the East York-Leaside Viaduct payable by the town of Leaside; that certain doubts have arisen as to the validity of said by-law; and that it is desirable that the said by-law and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Leaside Act, 1930.*

By-law
No. 230
confirmed.

2. By-law number 230 of the town of Leaside, passed on the 29th day of January, 1930, to authorize the borrowing of two hundred thousand dollars (\$200,000) upon debentures, to pay for the portion of the cost of the East York-Leaside Viaduct payable by the town of Leaside, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said town of Leaside and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the Town of Leaside.

1st Reading

2nd Reading

3rd Reading

MR. MACAULAY

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Leaside.

MR. MACAULAY

No. 35.

1930.

BILL

An Act respecting the Town of Leaside.

Preamble.

WHEREAS the municipal corporation of the town of Leaside has by its petition represented that by-law number 230 was passed on the 29th day of January, 1930, to authorize the borrowing of two hundred thousand dollars (\$200,000) upon debentures, to pay for the portion of the cost of the East York-Leaside Viaduct payable by the town of Leaside; that certain doubts have arisen as to the validity of said by-law; and that it is desirable that the said by-law and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Leaside Act, 1930*.

By-law
No. 230
confirmed.

2. By-law number 230 of the town of Leaside, passed on the 29th day of January, 1930, to authorize the borrowing of two hundred thousand dollars (\$200,000) upon debentures, to pay for the portion of the cost of the East York-Leaside Viaduct payable by the town of Leaside, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said town of Leaside and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the Town of Leaside.

1st Reading

February 11th, 1930

2nd Reading

February 21st, 1930

3rd Reading

March 5th, 1930

MR. MACAULAY

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Deseronto.

MR. HILL.

(PRIVATE BILL)

No. 36.

1930.

BILL

An Act respecting the Town of Deseronto.

Preamble.

WHEREAS the corporation of the town of Deseronto has by its petition represented that the said town of Deseronto became incorporated as a town on the first day of January, 1889; that at the time of the incorporation of the town of Deseronto there were large lumber mills carrying on the business of manufacturing lumber and various products thereof in the said town of Deseronto; that the timber limits upon which said mills relied for raw material have been exhausted and the said mills have ceased to operate, resulting in a reduction of the population of the town of Deseronto and a diminution of the assessed value of the property within the limits of the said town; that the debt of the corporation of the town of Deseronto amounts to \$65,000 made up as follows: Debenture debt \$35,000; amount owing to the bank of said corporation \$12,000; fire hall improvements \$6,000; amount owing by the said town for county levy \$7,000; and street improvements \$5,000; that this makes up the total of \$65,000; that the total assessment of the town of Deseronto according to the last revised assessment roll is \$921,672, which includes property which the town of Deseronto has purchased at tax sales held in the said town of Deseronto amounting to \$42,282 according to the assessed value thereof; that the total amount of land within the limits of the corporation of the town of Deseronto comprises 530 acres; that there has been constructed about one mile of permanent pavement and about ten miles of cement sidewalks within the town; that the town owns its own water works plants of a value of about \$100,000; and that the corporation of the town of Deseronto desires to consolidate the above mentioned debt of \$65,000 and issue debentures payable in forty years from the issue thereof for the payment thereof as the same comes due or as arrangements can be made to pay said existing debt;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Deseronto Act, 1930.*

Power
to borrow
\$65,000.

2. The corporation of the town of Deseronto may for the purposes hereinbefore mentioned raise money to the extent of \$65,000 by way of a loan on the debentures of the corporation of the town of Deseronto from time to time as may be deemed expedient for the above mentioned purposes, by the council of the town of Deseronto.

Term of
debentures.

3. The said debentures shall be payable in not more than forty years from the date thereof, as the said corporation may direct. Coupons shall be attached to the said debentures for the payment of the interest thereon, and such interest shall be payable half-yearly at the place or places mentioned therein and in the coupons attached thereto; and such debentures may provide for the payment of interest and the repayment of the debt in instalments of equal amounts or in any other manner provided by any public Act of the Legislature of the Province of Ontario from time to time in force in the Province of Ontario and such debenture may be known as the "Consolidated Debt Debentures" of the corporation of the town of Deseronto.

Application
of other
Acts.

4. In all other respects the provisions of any public statute of the Legislature of the Province of Ontario may be applied to the issue of said debentures.

Commence-
ment of
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the Town of Deseronto.

1st Reading

2nd Reading

3rd Reading

MR. HILL.

(PRIVATE BILL).

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Deseronto.


MR. HILL.

(PRIVATE BILL)

No. 36.

1930.

BILL

 An Act respecting the Town of Deseronto.

Preamble.

WHEREAS the corporation of the town of Deseronto has by its petition represented that it was incorporated as a town on the first day of January, 1889; that at the time of the incorporation there were large lumber mills carrying on the business of manufacturing lumber and various products thereof in the said town; that the timber limits upon which said mills relied for raw material have been exhausted and the said mills have ceased to operate, resulting in a reduction of the population of the town of Deseronto and a diminution of the assessed value of the rateable property; that the town has incurred a floating debt of \$30,000 made up as follows: amount owing to the bank of said corporation \$12,000 and expended in making necessary improvements to sidewalks, roads and water system; fire hall improvements including equipment therefor \$6,000; amount owing by the said town for county levy \$7,000; and street improvements constructing cement walks and new road \$5,000; that the said town has outstanding a debenture debt amounting to about \$35,000, as hereinafter specified; that the total assessment of the town of Deseronto according to the last revised assessment roll is \$921,672, which includes property which the town of Deseronto has purchased at tax sales held in the said town of Deseronto amounting to \$42,282 according to the assessed value thereof; that the total amount of land within the limits of the corporation of the town of Deseronto comprises 530 acres; that there has been constructed about one mile of permanent pavement and about ten miles of cement sidewalks within the town; that the town owns its own water works plant of a value of about \$100,000; and whereas the said corporation has by its petition prayed that an Act be passed authorizing it to borrow money by the issuing of debentures to pay its floating and debenture indebtedness; and whereas, subject to the provisions of this Act it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Deseronto Act, 1930.*

Floating
Debt con-
solidated at
\$30,000.

2.—(1) The floating debt of the corporation of the town of Deseronto is consolidated at the sum of \$30,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$30,000 for the purpose of paying the said floating debt, and such debentures shall be payable in not more than 20 years from the date of issue thereof.

(2) The said debentures and all moneys arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose.

Power to
borrow
\$35,000 to
pay off out-
standing
debentures.

3.—(1) The Corporation of the town of Deseronto may from time to time pass by-laws to borrow sums of money not exceeding in the aggregate \$35,000 by the issue of debentures payable in not more than 20 years from the respective dates of issue thereof for the purpose of retiring or redeeming the outstanding debentures of the said corporation set out in Schedule "A" hereto.

(2) The said debentures and all moneys arising therefrom shall be applied by the said corporation in the redemption of the said outstanding debentures and for no other purpose.

(3) The treasurer of the said town shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the outstanding debentures and shall discharge the same with the funds raised under this section; or may with the like consent substitute therefor debentures authorized to be issued under this section upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures.

Term of
debentures,
rate of inter-
est, etc.

4. The said debentures shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal
annual
instalments.

5. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Levy of
special rate.

6. The said corporation shall levy in each year during the period within which the debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Assent of
electors not
required.

7. It shall not be necessary to obtain the assent of the electors of the town of Deseronto to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularity
in form not
to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as the application of the proceeds thereof.

Treasurer to
keep proper
book of ac-
count.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

OUTSTANDING DEBENTURES.

Gas Works, Pumping Station and Improvement.

By-law No. 389

Passed 1907—Due 1937—Amount of issue, \$50,000.

Amount owing..... \$17,916 38

School Debenture.

By-law No. 685.

Passed 1922—Due 1942—Amount of issue, \$12,000.

Amount owing..... 7,800 00

Streets Debenture.

By-law No. 793.

Passed 1928—Due 1938—Amount of issue, \$9,800.

Amount owing..... 8,820 00

 \$34,536 38



BILL.

An Act respecting the Town of Deseronto.

1st Reading

2nd Reading

3rd Reading

MR. HILL.

(Reprinted with amendments for consideration by Private Bills Committee).

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Deseronto.

MR. HILL.

No. 36.

1930.

BILL

An Act respecting the Town of Deseronto.

Preamble.

WHEREAS the corporation of the town of Deseronto has by its petition represented that it was incorporated as a town on the first day of January, 1889; that at the time of the incorporation there were large lumber mills carrying on the business of manufacturing lumber and various products thereof in the said town; that the timber limits upon which said mills relied for raw material have been exhausted and the said mills have ceased to operate, resulting in a reduction of the population of the town of Deseronto and a diminution of the assessed value of the rateable property; that the town has incurred a floating debt of \$30,000 made up as follows: amount owing to the bank of said corporation \$12,000 and expended in making necessary improvements to sidewalks, roads and water system; fire hall improvements including equipment therefor \$6,000; amount owing by the said town for county levy \$7,000; and street improvements constructing cement walks and new road \$5,000; that the said town has outstanding a debenture debt amounting to about \$35,000, as hereinafter specified; that the total assessment of the town of Deseronto according to the last revised assessment roll is \$921,672, which includes property which the town of Deseronto has purchased at tax sales held in the said town of Deseronto amounting to \$42,282 according to the assessed value thereof; that the total amount of land within the limits of the corporation of the town of Deseronto comprises 530 acres; that there has been constructed about one mile of permanent pavement and about ten miles of cement sidewalks within the town; that the town owns its own water works plant of a value of about \$100,000; and whereas the said corporation has by its petition prayed that an Act be passed authorizing it to borrow money by the issuing of debentures to pay its floating and debenture indebtedness; and whereas, subject to the provisions of this Act it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Deseronto Act*, Short title. 1930.

2.—(1) The floating debt of the corporation of the town of Deseronto is consolidated at the sum of \$30,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding \$30,000 for the purpose of paying the said floating debt, and such debentures shall be payable in not more than 30 years from the date of issue thereof.

Floating Debt consolidated at \$30,000.

(2) The said debentures and all moneys arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose.

3.—(1) The Corporation of the town of Deseronto may from time to time pass by-laws to borrow sums of money not exceeding in the aggregate \$35,000 by the issue of debentures payable in not more than 30 years from the respective dates of issue thereof for the purpose of retiring or redeeming the outstanding debentures of the said corporation set out in Schedule "A" hereto.

Power to borrow \$35,000 to pay off outstanding debentures.

(2) The said debentures and all moneys arising therefrom shall be applied by the said corporation in the redemption of the said outstanding debentures and for no other purpose.

(3) The treasurer of the said town shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the outstanding debentures and shall discharge the same with the funds raised under this section; or may with the like consent substitute therefor debentures authorized to be issued under this section upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures.

4. The said debentures shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Term of debentures, rate of interest, etc.

5. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Equal annual instalments.

Levy of
special rate.

6. The said corporation shall levy in each year during the period within which the debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Assent of
electors not
required.

7. It shall not be necessary to obtain the assent of the electors of the town of Deseronto to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.,
c. 233.

Irregularity
in form not
to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to
keep proper
book of ac-
count.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

OUTSTANDING DEBENTURES.

<i>Gas Works, Pumping Station and Improvement.</i>	
By-law No. 389	
Passed 1907—Due 1937—Amount of issue, \$50,000.	
Amount owing.....	\$17,916 38
<i>School Debenture.</i>	
By-law No. 685.	
Passed 1922—Due 1942—Amount of issue, \$12,000.	
Amount owing.....	7,800 00
<i>Streets Debenture.</i>	
By-law No. 793.	
Passed 1928—Due 1938—Amount of issue, \$9,800.	
Amount owing.....	8,820 00
	<hr/>
	\$34,536 38
	<hr/>

BILL.

An Act respecting the Town of Deseronto.

1st Reading

February 18th, 1930

2nd Reading

March 26th, 1930

3rd Reading

March 28th, 1930

MR. HULL.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to incorporate The Welland County Ship Canal Industrial
Area Commission.

MR. VAUGHAN

(PRIVATE BILL)

No. 37.

1930.

BILL

An Act to incorporate The Welland County Ship Canal Industrial Area Commission.

Preamble.

WHEREAS the corporations of the city of Welland, the town of Port Colborne, the townships of Thorold, Crowland and Humberstone and the village of Humberstone have by their petition represented that the said municipalities are situated on either side of the Welland Ship Canal and are adjoining municipalities and so situated that a common industrial department would serve the interests of the municipalities and effect large reductions in the aggregate cost of operating the same; and whereas the said corporations have by their said petition also prayed that a commission may be incorporated to operate the said industrial department for and on behalf of the said corporations; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Welland County Ship Canal Industrial Area Act*.

Interpretation.

2. In this Act,—

“Commission.”

(a) “The Commission” shall mean the Welland County Ship Canal Industrial Area Commission;

“Industrial Commissioner.”

(b) “Industrial Commissioner” shall mean one employed by the Welland County Ship Canal Industrial Area Commission;

“Area.”

(c) “Area” shall mean the lands within the territorial limits of the city of Welland, the town of Port Colborne, the townships of Thorold, Crowland and Humberstone, and the village of Humberstone.

Establish-
ment of
Commission
and mem-
bership.

3.—(1) For the purpose of this Act a commission to be known as "The Welland County Ship Canal Industrial Area Commission" is hereby established and shall be a body corporate and shall be composed as follows:

- (a) The member of the Assembly for the Electoral District of Welland shall be *ex-officio* a member of the commission;
- (b) A member of the council of the city of Welland to be nominated by the council shall be *ex-officio* a member of the commission; and
- (c) The council of the city of Welland shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (d) A member of the council of the town of Port Colborne to be nominated by the council shall be *ex-officio* a member of the commission; and
- (e) The council of the town of Port Colborne shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (f) A member of the council of the township of Thorold to be nominated by the council shall be *ex-officio* a member of the commission; and
- (g) The council of the township of Thorold shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (h) A member of the council of the township of Crowland to be nominated by the council shall be *ex-officio* a member of the commission; and
- (i) The council of the township of Crowland shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (j) A member of the council of the township of Humberstone to be nominated by the council shall be *ex-officio* a member of the commission; and

- (k) The council of the township of Humberstone shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (l) A member of the council of the village of Humberstone to be nominated by the council shall be *ex-officio* a member of the commission; and
- (m) The council of the village of Humberstone shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year.

Provision
for other
municipalities com-
ing in.

(2) The corporation of any other municipality adjoining the Welland Ship Canal may by by-law signify its desire to come within the jurisdiction of the commission, and if its application is accepted by the commission it shall be subject to the provisions of this Act and liable to contribute its proportion of the moneys required by the commission, and be entitled to the same representation thereon as the other municipalities above mentioned.

Vacancies.

(3) When a vacancy in the membership of the commission occurs for any cause, the proper council in that behalf shall immediately appoint a successor who shall hold office during the remainder of the term for which his predecessor was appointed.

Duties of
Commission.

4. The said commission shall have power to bring to the notice of manufacturers and others, the advantages of the area as a location for industrial enterprises, summer resorts, residential, educational and other purposes and for the aforesaid purposes may establish an office or offices in the area and appoint a commissioner of industries and may expend the moneys of the commission in maintaining an industrial commissioner and in diffusing information respecting the advantages of the area as a manufacturing, business, educational or residential centre.

Chairman.

5.—(1) The commission shall annually at the meeting to be held on the first Friday in the month of January, elect one of the members thereof to be chairman of the commission, who shall hold office for one year and until his successor is elected. The chairman shall preside at all meetings of the commission at which he is present and in the absence of the chairman the members present shall elect one of such members to preside at the meeting.

Quorum.

(2) A majority of the commissioners shall constitute a quorum.

Seal. (3) The commission shall have a common seal and may from time to time alter or change the same.

Secretary. (4) The commission may appoint a secretary and such other officers, servants and workmen as may be deemed requisite. Salaries or other remuneration of the persons so appointed shall be fixed by the commission.

Contracts. (5) Any contract entered into by the commission and sealed with the seal and signed by the chairman and secretary thereof shall be binding upon the commission.

Books of account. (6) The commission shall keep proper records and books, including books of account in which shall be recorded and entered the business of the commission.

No salary for commissioners. (7) The members of the commission shall serve without salary.

Requirements as to residence, etc. (8) The commissioner appointed by any municipality, other than the *ex-officio* members, may reside in any other of the above-mentioned municipalities, but otherwise the provisions of Parts II, III and IV of *The Municipal Act*, which are applicable to members of the council of a local municipality, shall apply *mutatis mutandis* to the members of the commission.

Money to be provided by municipalities. 6. All moneys required for the general purposes of the commission shall be provided by the city of Welland, the town of Port Colborne, the townships of Thorold, Crowland and Humberstone, and the village of Humberstone, in the proportion to be ascertained and determined under the provisions of this Act.

Payment over to commission. 7.—(1) Subject to the provisions of section 9, the moneys required by the commission shall be provided and paid over to the commission from time to time on the application of the commission. The application shall set out the sum total required at the time of the making of such application and the proportions thereof required from and payable by each of the corporations.

(2) The application shall be in writing and sealed with the seal of the commission and signed by the chairman and secretary and duplicate originals of such application shall be delivered to the clerk of each corporation.

Recovery by commission. 8. The sum stated in any such application when made as payable by any of the said corporations shall be a debt due by such corporation to the commission, and may be recovered by the commission from such corporation by suit in any court of competent jurisdiction.

Levy of
mill rate.

9. The council of each of said corporations shall levy in each year over a period of five years a rate of half a mill in the dollar of the total assessment of each municipality liable for such assessment and shall pay the same over to the commission on the application of the commission. The amount to be raised annually may be increased to one mill in the dollar by the unanimous action of all the corporations to be signified by by-law. And in addition, all grants allowed by *The Municipal Act* for the purposes for which the commission is created, may be granted by the corporations to the commission.

Rev. Stat.,
c. 233.

Provision
for with-
drawal.

10. Any time after the 31st day of December, 1934, any one of the corporations may serve notice on the commission and the other corporations that it desires to withdraw from the commission and from and after the date of the receipt of the notice by the commission the commission shall cease to exist so far as the corporation withdrawing is concerned, except that the corporation or corporations withdrawing shall be liable to the commission for its or their proportionate share (considering the moneys contributed by the corporations) of any liabilities of the commission incurred for which the commission are liable up to the receipt of the notices.

Continuing
corporations.

11. The corporations which have not served notice of intention to withdraw may by by-law signify their intention of continuing the commission and so long as any three of the corporations so signify their intention, this Act shall remain in full force and effect so far as the continuing corporations are concerned.

Annual
Report of
Commission.

12. The commission shall in each year on or before the 30th day of November submit a full report of the work of the commission together with a financial statement to the corporations.

First
meeting of
Commission.

13. The first or organization meeting of the commission shall be called by the mayor of the city of Welland within fifteen days after the passing of this Act, by three days' notice in writing delivered to the other corporations, members of the commission.

Commence-
ment of
Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to incorporate The Welland County
Ship Canal Industrial Area
Commission.

1st Reading

2nd Reading

3rd Reading

MR. VAUGHAN

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to incorporate The Welland County Ship Canal Industrial
Area Commission.

MR. VAUGHAN

No. 37.

1930.

BILL

An Act to incorporate The Welland County Ship Canal Industrial Area Commission.

Preamble.

WHEREAS the corporations of the city of Welland, the town of Port Colborne, the townships of Thorold, Crowland and Humberstone and the village of Humberstone have by their petition represented that the said municipalities are situated on either side of the Welland Ship Canal and are adjoining municipalities and so situated that a common industrial department would serve the interests of the municipalities and effect large reductions in the aggregate cost of operating the same; and whereas the said corporations have by their said petition also prayed that a commission may be incorporated to operate the said industrial department for and on behalf of the said corporations; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Welland County Ship Canal Industrial Area Act*.

Interpretation.

2. In this Act,—

“Commission.”

(a) “The Commission” shall mean the Welland County Ship Canal Industrial Area Commission;

“Industrial Commissioner.”

(b) “Industrial Commissioner” shall mean one employed by the Welland County Ship Canal Industrial Area Commission;

“Area.”

(c) “Area” shall mean the lands within the territorial limits of the city of Welland, the town of Port Colborne, the townships of Thorold, Crowland and Humberstone, and the village of Humberstone.

3.—(1) For the purpose of this Act a commission to be known as "The Welland County Ship Canal Industrial Area Commission" is hereby established and shall be a body corporate and shall be composed as follows: Establishment of Commission and membership.

- (a) The member of the Assembly for the Electoral District of Welland shall be *ex-officio* a member of the commission;
- (b) A member of the council of the city of Welland to be nominated by the council shall be *ex-officio* a member of the commission; and
- (c) The council of the city of Welland shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (d) A member of the council of the town of Port Colborne to be nominated by the council shall be *ex-officio* a member of the commission; and
- (e) The council of the town of Port Colborne shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (f) A member of the council of the township of Thorold to be nominated by the council shall be *ex-officio* a member of the commission; and
- (g) The council of the township of Thorold shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (h) A member of the council of the township of Crowland to be nominated by the council shall be *ex-officio* a member of the commission; and
- (i) The council of the township of Crowland shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (j) A member of the council of the township of Humberstone to be nominated by the council shall be *ex-officio* a member of the commission; and

- (k) The council of the township of Humberstone shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year;
- (l) A member of the council of the village of Humberstone to be nominated by the council shall be *ex-officio* a member of the commission; and
- (m) The council of the village of Humberstone shall every year appoint one person to be a member of the commission who shall not be a member of the council, to hold office for the term of one year.

Provision
for other
municipalities com-
ing in.

(2) The corporation of any other municipality adjoining the Welland Ship Canal may by by-law signify its desire to come within the jurisdiction of the commission, and if its application is accepted by the commission it shall be subject to the provisions of this Act and liable to contribute its proportion of the moneys required by the commission, and be entitled to the same representation thereon as the other municipalities above mentioned.

Vacancies.

(3) When a vacancy in the membership of the commission occurs for any cause, the proper council in that behalf shall immediately appoint a successor who shall hold office during the remainder of the term for which his predecessor was appointed.

Duties of
Commission.

4. The said commission shall have power to bring to the notice of manufacturers and others, the advantages of the area as a location for industrial enterprises, summer resorts, residential, educational and other purposes and for such purposes may establish an office or offices in the area and appoint a commissioner of industries, a secretary and treasurer and such other officers, servants and workmen as may be deemed requisite, and may fix their salaries or other remuneration, and may expend the moneys of the commission in establishing and maintaining such office or offices and in paying such salaries or other remuneration and in diffusing information respecting the advantages of the area as a manufacturing, business, educational or residential centre.

Chairman.

5.—(1) The commission shall annually at the meeting to be held on the first Friday in the month of January, elect one of the members thereof to be chairman of the commission, who shall hold office for one year and until his successor is elected. The chairman shall preside at all meetings of the commission at which he is present and in the absence of the chairman the members present shall elect one of such members to preside at the meeting.

Quorum.

(2) A majority of the commissioners shall constitute a quorum.

(3) The commission shall have a common seal and may from time to time alter or change the same. Seal.

(4) Any contract entered into by the commission and sealed with the seal and signed by the chairman and secretary thereof shall be binding upon the commission. Contracts.

(5) The commission shall keep proper records and books, including books of account in which shall be recorded and entered the business of the commission. Books of account.

(6) The members of the commission shall serve without salary. No salary for commissioners.

(7) The commissioner appointed by any municipality other than the *ex-officio* members, may reside in any other of the above-mentioned municipalities, but otherwise the provisions of Parts II, III and IV of *The Municipal Act*, which are applicable to members of the council of a local municipality, shall apply *mutatis mutandis* to the members of the commission. Requirements as to residence, etc.
Rev. Stat., c. 233.

6. All moneys required for the general purposes of the commission shall be provided by the city of Welland, the town of Port Colborne, the townships of Thorold, Crowland and Humberstone, and the village of Humberstone, in the proportion to be ascertained and determined under the provisions of this Act. Money to be provided by municipalities.

7.—(1) Subject to the provisions of section 9, the moneys required by the commission shall be provided and paid over to the commission from time to time on the application of the commission. The application shall set out the sum total required at the time of the making of such application and the proportions thereof required from and payable by each of the corporations. Payment over to commission.

(2) The application shall be in writing and sealed with the seal of the commission and signed by the chairman and secretary and duplicate originals of such application shall be delivered to the clerk of each corporation.

8. The sum stated in any such application when made as payable by any of the said corporations shall be a debt due by such corporation to the commission, and may be recovered by the commission from such corporation by suit in any court of competent jurisdiction. Recovery by commission.

Levy of
mill rate.

9. The council of each of said corporations shall levy in each year over a period of five years a rate of half a mill in the dollar of the total assessment of each municipality liable for such assessment and shall pay the same over to the commission on the application of the commission. The amount to be raised annually may be increased to one mill in the dollar by the unanimous action of all the corporations to be signified by by-law. And in addition, all grants allowed by *The Municipal Act* for the purposes for which the commission is created, may be granted by the corporations to the commission.

Provision
for with-
drawal.

10. Any time after the 31st day of December, 1934, any one of the corporations may serve notice on the commission and the other corporations that it desires to withdraw from the commission and from and after the date of the receipt of the notice by the commission the commission shall cease to exist so far as the corporation withdrawing is concerned, except that the corporation or corporations withdrawing shall be liable to the commission for its or their proportionate share (considering the moneys contributed by the corporations) of any liabilities of the commission incurred for which the commission are liable up to the receipt of the notices.

Continuing
corporations.

11. The corporations which have not served notice of intention to withdraw may by by-law signify their intention of continuing the commission and so long as any three of the corporations so signify their intention, this Act shall remain in full force and effect so far as the continuing corporations are concerned.

Annual
Report of
Commission.

12. The commission shall in each year on or before the 30th day of November submit a full report of the work of the commission together with a financial statement to the corporations.

First
meeting of
Commission.

13. The first or organization meeting of the commission shall be called by the mayor of the city of Welland within fifteen days after the passing of this Act, by three days' notice in writing delivered to the other corporations, members of the commission.

Commence-
ment of
Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to incorporate The Welland County
Ship Canal Industrial Area
Commission.

1st Reading

March 4th, 1930

2nd Reading

March 14th, 1930

3rd Reading

March 19th, 1930.

MR. VAUGHAN

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting The Town of Frood Mine.

MR. ROBB

(PRIVATE BILL)

BILL

An Act respecting the Town of Frood Mine.

Preamble.

WHEREAS the municipal corporation of the town of Frood Mine in the district of Sudbury has by its petition represented that it is desirable that the land hereinafter described be annexed to the town of Frood Mine, and has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Frood Mine Act, 1930.*

Description of land annexed.

2.—(1) The land hereinafter described, namely:

The north half of lot number seven in the sixth concession of the township of McKim, containing one hundred and sixty acres more or less

is hereby annexed to and shall form part of the town of Frood Mine.

Date of annexation.

(2) Such annexation shall be deemed to have taken place and shall have effect on, from and after the 1st day of January, 1931.

Adjustment of assets and liabilities.

3. There shall be an adjustment of assets and liabilities as between the township of McKim and the town of Frood Mine, as if the said land had been annexed under the provisions of *The Municipal Act.*

Rev. Stat., c. 233.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

An Act respecting the Town of Frood Mine.

1st Reading

2nd Reading

3rd Reading

MR. ROBB

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting The Town of Frood Mine.

MR. ROBB

No. 38.

1930.

BILL

An Act respecting the Town of Frood Mine.

Preamble.

WHEREAS the municipal corporation of the town of Frood Mine in the district of Sudbury has by its petition represented that it is desirable that the land hereinafter described be annexed to the town of Frood Mine, and has by its petition prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Frood Mine Act, 1930.*

Description
of land
annexed.

2.—(1) The land hereinafter described, namely:

The north half of lot number seven in the sixth concession of the township of McKim, containing one hundred and sixty acres more or less

is hereby annexed to and shall form part of the town of Frood Mine.

Date of
annexation.

(2) Such annexation shall be deemed to have taken place and shall have effect on, from and after the 1st day of January, 1931.

Adjustment
of assets and
liabilities.

3. There shall be an adjustment of assets and liabilities as between the township of McKim and the town of Frood Mine, as if the said land had been annexed under the provisions of *The Municipal Act.*

Rev. Stat.,
c. 233.Commence-
ment of
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the Town of Frood Mine.

1st Reading

February 11th, 1930

2nd Reading

February 21st, 1930

3rd Reading

March 5th, 1930

MR. ROBB

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Sault Ste. Marie.

MR. LYONS

(PRIVATE BILL)

No. 39.

1930.

BILL

An Act respecting the City of Sault Ste. Marie.

Preamble.

WHEREAS the corporation of the city of Sault Ste. Marie, hereinafter called the corporation, has by its petition represented that the by-laws of the said corporation set forth in Schedule "A" hereto, and the debentures issued or to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition further represented that by-law number 26 of the municipality of Sault Ste. Marie, passed on the 3rd day of April, 1873, authorizing the conveyance of original Spring Street as laid down on a map or plan of survey of the town of Sault Ste. Marie by Alexander Vidal, P.L.S., dated the 3rd day of June, 1846, of record in the Crown Lands Department, to one Joseph Wilson, in exchange for certain lands owned by the said Joseph Wilson to be used by the said municipality for the purpose of a highway to be known as Spring Street, and the conveyances from the said Joseph Wilson to the said municipality and from the said municipality to the said Joseph Wilson made thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1930.*

By-laws confirmed.

2. The by-laws of the said corporation specified under Schedule "A" hereto, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the corporation and the rate-payers thereof, and it is declared that the said corporation has corporate power to validly take and enforce according to the terms thereof the mortgage from the Plummer Memorial Public Hospital to secure the guarantee mentioned

in the paragraph lettered (l) of Schedule "A" hereto, and that the said mortgage is valid and binding on the said Plummer Memorial Public Hospital and the Board of Governors thereof.

By-law
No. 26
confirmed.

3. By-law number 26 of the municipality of Sault Ste. Marie passed on the 3rd day of April, 1873, is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof and it is declared that the conveyance dated the 3rd day of April, 1873, from the said municipality to one Joseph Wilson of original Spring Street and a conveyance dated the 3rd day of April, 1873, from the said Joseph Wilson to the said municipality of certain land for the purpose of a highway to be known as "Spring Street" more fully set forth in said by-law validly and effectually vested the land described in said conveyances in the respective grantees therein named, their respective heirs, successors and assigns.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

(a) By-law No. 1417 to amend By-law No. 914 of the said Corporation by striking out the provision therein contained for limiting the amount of salary to be paid the commissioners of the Public Utility Commission of the said City and to provide that the salary of said commissioners shall be in accordance with the provisions of the Public Utilities Act of Ontario;

(b) By-law No. 1347 to provide for the issue of debentures for \$15,500.00 to pay for the construction of concrete walks constructed in the year 1927;

(c) By-law No. 1348 to provide for the issue of debentures for \$8,500.00 to pay for the construction of sanitary sewers constructed in the year 1927;

(d) By-law No. 1384 to provide for the issue of debentures for \$5,000.00 for the erection of a Greenhouse at Bellevue Park in the said City;

(e) By-law No. 1385 to provide for the issue of debentures for \$4,900.00 for the construction of concrete walks constructed in the year 1928;

(f) By-law No. 1387 to authorize the issue of debentures for \$6,000.00 for the construction of concrete bridges constructed in the year 1928;

(g) By-law No. 1366 to provide for the issue of debentures for \$19,000.00 for the construction of storm sewers constructed in the year 1929;

(h) By-law No. 1388 to provide for the issue of debentures for \$10,000.00 for building changes and additional equipment for the Collegiate Institute;

(i) By-law No. 1367 to provide for the issue of debentures for \$6,600.00 for the erection of a Mortuary in the said City;

(j) By-law No. 1416 to provide for the issue of debentures for \$4,600.00 for changes to the building of and equipment for the Technical School;

(k) By-law No. 1412 to provide for the issue of debentures for \$12,000.00 for the purchase of snow removal equipment;

(l) By-law No. 1413 to provide for the guarantee of bonds of the Plummer Memorial Public Hospital in the said City to the extent of \$45,000.00 and for taking security by way of mortgage for said guarantee;

(m) By-law No. 1421 to provide for the issue of debentures for \$40,000.00 for the construction of street pavements constructed during the year 1929;

(n) By-law No. 1422 to provide for the issue of debentures for \$1,600.00 for the construction of sanitary sewers constructed in the year 1928;

(o) By-law No. 1423 to provide for the issue of debentures for \$12,300.00 for the following purposes:—\$6,000.00 for the construction of storm sewers constructed in the year 1929; \$4,000.00 for the construction of concrete walks constructed in the year 1929; \$1,600.00 for the construction of sanitary sewers constructed in the year 1929; and \$700.00 for private sewer connections constructed in the year 1929.

BILL.

An Act respecting the City of Sault Ste.
Marie.

1st Reading.

2nd Reading.

3rd Reading.

MR. LYONS.

PRIVATE BILL.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Sault Ste. Marie.

MR. LYONS

No. 39.

1930.

BILL

An Act respecting the City of Sault Ste. Marie.

Preamble.

WHEREAS the corporation of the city of Sault Ste. Marie, hereinafter called the corporation, has by its petition represented that the by-laws of the said corporation set forth in Schedule "A" hereto, and the debentures issued or to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition further represented that by-law number 26 of the municipality of Sault Ste. Marie, passed on the 3rd day of April, 1873, authorizing the conveyance of original Spring Street as laid down on a map or plan of survey of the town of Sault Ste. Marie by Alexander Vidal, P.L.S., dated the 3rd day of June, 1846, of record in the Crown Lands Department, to one Joseph Wilson, in exchange for certain lands owned by the said Joseph Wilson to be used by the said municipality for the purpose of a highway to be known as Spring Street, and the conveyances from the said Joseph Wilson to the said municipality and from the said municipality to the said Joseph Wilson made thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1930.*

By-laws confirmed.

2. The by-laws of the said corporation specified under Schedule "A" hereto, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the corporation and the rate-payers thereof, and it is declared that the said corporation has corporate power to validly take and enforce according to the terms thereof the mortgage from the Plummer Memorial Public Hospital to secure the guarantee mentioned

in the paragraph lettered (l) of Schedule "A" hereto, and that the said mortgage is valid and binding on the said Plummer Memorial Public Hospital and the Board of Governors thereof.

3. By-law number 26 of the municipality of Sault Ste. Marie passed on the 3rd day of April, 1873, is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof and it is declared that the conveyance dated the 3rd day of April, 1873, from the said municipality to one Joseph Wilson of original Spring Street and a conveyance dated the 3rd day of April, 1873, from the said Joseph Wilson to the said municipality of certain land for the purpose of a highway to be known as "Spring Street" more fully set forth in said by-law validly and effectually vested the land described in said conveyances in the respective grantees therein named, their respective heirs, successors and assigns.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

(a) By-law No. 1417 to amend By-law No. 914 of the said Corporation by striking out the provision therein contained for limiting the amount of salary to be paid the commissioners of the Public Utility Commission of the said City and to provide that the salary of said commissioners shall be in accordance with the provisions of the Public Utilities Act of Ontario;

(b) By-law No. 1347 to provide for the issue of debentures for \$15,500.00 to pay for the construction of concrete walks constructed in the year 1927;

(c) By-law No. 1348 to provide for the issue of debentures for \$8,500.00 to pay for the construction of sanitary sewers constructed in the year 1927;

(d) By-law No. 1384 to provide for the issue of debentures for \$5,000.00 for the erection of a Greenhouse at Bellevue Park in the said City;

(e) By-law No. 1385 to provide for the issue of debentures for \$4,900.00 for the construction of concrete walks constructed in the year 1928;

(f) By-law No. 1387 to authorize the issue of debentures for \$6,000.00 for the construction of concrete bridges constructed in the year 1928;

(g) By-law No. 1366 to provide for the issue of debentures for \$19,000.00 for the construction of storm sewers constructed in the year 1929;

(h) By-law No. 1388 to provide for the issue of debentures for \$10,000.00 for building changes and additional equipment for the Collegiate Institute;

(i) By-law No. 1367 to provide for the issue of debentures for \$6,600.00 for the erection of a Mortuary in the said City;

(j) By-law No. 1416 to provide for the issue of debentures for \$4,600.00 for changes to the building of and equipment for the Technical School;

(k) By-law No. 1412 to provide for the issue of debentures for \$12,000.00 for the purchase of snow removal equipment;

(l) By-law No. 1413 to provide for the guarantee of bonds of the Plummer Memorial Public Hospital in the said City to the extent of \$45,000.00 and for taking security by way of mortgage for said guarantee;

(m) By-law No. 1421 to provide for the issue of debentures for \$40,000.00 for the construction of street pavements constructed during the year 1929;

(n) By-law No. 1422 to provide for the issue of debentures for \$1,600.00 for the construction of sanitary sewers constructed in the year 1928;

(o) By-law No. 1423 to provide for the issue of debentures for \$12,300.00 for the following purposes:—\$6,000.00 for the construction of storm sewers constructed in the year 1929; \$4,000.00 for the construction of concrete walks constructed in the year 1929; \$1,600.00 for the construction of sanitary sewers constructed in the year 1929; and \$700.00 for private sewer connections constructed in the year 1929.

BILL.

An Act respecting the City of Sault Ste.
Marie.

1st Reading.

February 11th, 1930

2nd Reading.

February 28th, 1930

3rd Reading.

March 12th, 1930

MR. LYONS.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Almonte.

MR. CRAIG.

(PRIVATE BILL)

No. 40.

1930.

BILL

An Act respecting the Town of Almonte.

WHEREAS the corporation of the town of Almonte has by its petition represented that the said corporation has incurred a floating debt of \$11,500, the largest part of which is for works of a permanent character which if paid out of current revenue would be unduly burdensome and oppressive on the ratepayers of the said corporation; and whereas the said corporation has by its petition further represented that it is expedient to raise the sum of thirty-five thousand dollars for the construction of permanent pavements in the said town during the years 1930, 1931, 1932, 1933 and 1934, similar to the county connecting link pavement constructed by the county of Lanark in the said town, in such a manner that not over ten thousand dollars will be expended for said work in any one of said years and to provide for the said plan of permanent pavements out of current revenue would be unfair and unduly burdensome and oppressive on the ratepayers of the said corporation; and whereas the said corporation of the town of Almonte has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. 1. This Act may be cited as *The Town of Almonte Act, 1930*.

Floating
debt
consolidated
at \$11,500.

2. The floating debt of the corporation of the town of Almonte is consolidated at the sum of \$11,500 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$11,500 for the purpose of paying the said floating debt which debentures shall be made payable in not more than twenty years from the date of issue thereof.

Debentures,
rate of
interest.

3. The said debentures shall be in sums of not less than \$100 each, and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or

without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Equal
annual
instalments
of principal
and interest,

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the periods for which the debentures are to run.

Special
rates.

5. The said corporation shall levy in each year during the periods within which the said debentures are to run, in addition to all other rates, special rates sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application
of proceeds
of
debentures.

6. The debentures to be issued under the authority of section 2 of this Act and all moneys arising from the sale thereof shall be applied in payment of the said floating debt.

Assent of
electors not
required.

7. It shall not be necessary to obtain the assent of the electors of the town of Almonte to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.
c. 233.

Irregularity
in form
not to
invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer
to keep
proper
books of
account.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by section 2 of this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sale or negotiations of the said debentures, and the application which shall from time to time be made of

the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town and of any of the holders, from time to time, of the debentures which shall be issued under the powers conferred by section 2 of this Act, or any of such debentures.

Power to
borrow
\$35,000 for
permanent
pavements.

10. For the purpose of constructing permanent pavements in the town during the years 1930, 1931, 1932, 1933 and 1934, similar to the county connecting link pavement constructed by the county of Lanark in the town, the corporation of the town of Almonte may without obtaining the assent of the electors pass a by-law in each of the said years to borrow by the issue of debentures payable within a period not exceeding twenty years from the date of issue a sum not exceeding \$10,000 to pay the cost of such pavements constructed in such year but the aggregate amount of the sums borrowed during all of the said years shall not exceed \$35,000.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the Town of Almonte.

1st Reading

2nd Reading

3rd Reading

MR. CRAIG.

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Almonte.

MR. CRAIG.

No. 40.

1930.

BILL

An Act respecting the Town of Almonte.

WHEREAS the corporation of the town of Almonte has by its petition represented that the said corporation has incurred a floating debt of \$11,500, the largest part of which is for works of a permanent character which if paid out of current revenue would be unduly burdensome and oppressive on the ratepayers of the said corporation; and whereas the said corporation has by its petition further represented that it is expedient to raise the sum of thirty-five thousand dollars for the construction of permanent pavements in the said town during the years 1930, 1931, 1932, 1933 and 1934, similar to the county connecting link pavement constructed by the county of Lanark in the said town, in such a manner that not over ten thousand dollars will be expended for said work in any one of said years and to provide for the said plan of permanent pavements out of current revenue would be unfair and unduly burdensome and oppressive on the ratepayers of the said corporation; and whereas the said corporation of the town of Almonte has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Almonte Act, 1930*.

Floating
debt
consolidated
at \$11,500.

2. The floating debt of the corporation of the town of Almonte is consolidated at the sum of \$11,500 and the said corporation may borrow by a special issue of debentures a sum not exceeding \$11,500 for the purpose of paying the said floating debt which debentures shall be made payable in not more than twenty years from the date of issue thereof.

Debentures,
rate of
interest.

3. The said debentures shall be in sums of not less than \$100 each, and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or

without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the periods for which the debentures are to run. Equal annual instalments of principal and interest.

5. The said corporation shall levy in each year during the periods within which the said debentures are to run, in addition to all other rates, special rates sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Special rates.

6. The debentures to be issued under the authority of section 2 of this Act and all moneys arising from the sale thereof shall be applied in payment of the said floating debt. Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the town of Almonte to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not required. Rev. Stat. c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Irregularity in form not to invalidate.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by section 2 of this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sale or negotiations of the said debentures, and the application which shall from time to time be made of Treasurer to keep proper books of account.

the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town and of any of the holders, from time to time, of the debentures which shall be issued under the powers conferred by section 2 of this Act, or any of such debentures.

Power to
borrow
\$35,000 for
permanent
pavements.

10. For the purpose of constructing permanent pavements in the town during the years 1930, 1931, 1932, 1933 and 1934, similar to the county connecting link pavement constructed by the county of Lanark in the town, the corporation of the town of Almonte may without obtaining the assent of the electors pass a by-law in each of the said years to borrow by the issue of debentures payable within a period not exceeding twenty years from the date of issue a sum not exceeding \$10,000 to pay the cost of such pavements constructed in such year but the aggregate amount of the sums borrowed during all of the said years shall not exceed \$35,000.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the Town of Almonte.

1st Reading

March 4th, 1930

2nd Reading

March 28th, 1930

3rd Reading

March 28th, 1930

MR. CRAIG.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting St. Andrews Church, Martintown.

MR. McNAUGHTON

(PRIVATE BILL)

No. 41.

1930.

BILL

An Act respecting St. Andrews Church, Martintown.

Preamble.

WHEREAS the minister and trustees of St. Andrews Church, Martintown (United Church of Canada), in the township of Charlottenburgh, in the county of Glengarry, have, by their petition represented that by a Statute of Parliament of the Province of Canada passed in the twenty-fifth year of the reign of Her late Majesty, Queen Victoria, chaptered 88, it was enacted that it should and might be lawful for the then trustees of the congregation of the said St. Andrews Church, Martintown, which was then of the Presbyterian Church of Canada in connection with the Church of Scotland, to sell, alienate and convey by a good and sufficient title under their hands and seals, the west half of lot number sixteen on the south side of the River Aux Raisin in the township of Charlottenburgh, in the county of Glengarry, to any purchaser or purchasers thereof, and to apply the proceeds of such sale or sales to the purchase of a lot of ground in or near Martintown to be held by the trustees of the said congregation and their successors forever, to be appointed in the manner set forth in the said deed of grant and conveyance subject to the trusts in the said Act mentioned, to and in favour of the minister for the time being, of the said congregation of St. Andrews Church, Martintown, of the Presbyterian Church of Canada in connection with the Church of Scotland, the said west half of said lot number sixteen on the south side of the River Aux Raisin aforesaid, being a grant from the Crown to the said trustees of the said St. Andrews Church and commonly known as "Glebe;" and whereas the said trustees in pursuance of the said Statute duly sold the said lands and afterwards on the 29th day of December, A.D. 1863, purchased from one Duncan McMartin of the said township of Charlottenburgh, Yeoman, the following lands and premises to wit: all that certain parcel or tract of land and premises situate, lying and being in the township of Charlottenburgh, in the county of Glengarry, containing by admeasurement, forty-eight acres of land and composed of part of the east half of lot number twenty-six on the south side of the River Aux Raisin in the said township

of Charlottenburgh better known and described as follows, that is to say: commencing at a distance of eleven chains from the southeast angle of said lot on a course of north twenty-four degrees west, thence north twenty-four degrees west fifty chains and fifty-six links, thence south sixty-six degrees west nine chains and fifty links to the centre of said lot, thence south twenty-four degrees east fifty chains and fifty-six links, thence north sixty-six degrees east nine chains and fifty links to the place of beginning; to have and to hold the said premises subject to the conditions and limitations expressed in the original grant thereof from the Crown, unto the said trustees and their successors, upon trust, to permit the minister for the time being who shall be doing duty in the said St. Andrews Church at Martintown, according to the rites and communion of the Presbyterian Church of Canada, in connection with the Church of Scotland, to use, occupy and enjoy the same and to take the rents, issues and profits thereof, to and for his own use and benefit, and in case of there being no incumbent doing duty in the said church as aforesaid, then to allow the rents, issues and profits thereof, to and for the use and benefit of the said congregation; and whereas the said trustees still own the said lands and have represented by their said petition that the same are now entirely unremunerative and instead of being a source of revenue to the minister and congregation are likely to become a liability, that the said land has not been worked by any minister of the congregation for a period of over twenty years, nor is it ever likely to be so worked again, that it is increasingly difficult to secure a tenant for same, no tenant for the last two years having been secured, that the said property requires the expenditure of a considerable sum of money to repair fences and to kill weeds, and is likely to become liable for drainage taxes, in addition to which the ordinary municipal taxes amount to the sum of over forty dollars per annum, and further that it would be more advantageous to sell the said lands and invest the proceeds thereof in trustee securities, the income from which would furnish a never failing source of revenue, with comparatively, if any expense attendant thereon; and whereas the congregation of the said St. Andrews Church have authorized the trustees thereof to take such action as is necessary to effect a sale of the said property; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The St. Andrews Church, Martintown (United Church of Canada), Act, 1930.*

Power
of trustees
to sell
certain
lands.

2. It shall and may be lawful for the trustees of said St. Andrews Church, Martintown (United Church of Canada), to sell and convey by a good and sufficient deed in fee simple all and singular, that certain parcel or tract of land and premises situate, lying and being in the township of Charlottenburgh, in the county of Glengarry, containing by admeasurement forty-eight acres of land and composed of part of the east half of lot number twenty-six on the south side of the River Aux Raisin, in the said township of Charlottenburgh, better known and described as follows, that is to say: Commencing at a distance of eleven chains from the southeast angle of said lot on a course of north twenty-four degrees west, thence north twenty-four degrees west fifty chains and fifty-six links, thence south sixty-six degrees west nine chains and fifty links to the centre of said lot, thence south twenty-four degrees east fifty chains and fifty-six links, thence north sixty-six degrees east nine chains and fifty links to the place of beginning.

Application
of purchase
money.

3. The purchase money received by the trustees of said St. Andrews Church, Martintown (United Church of Canada), from the sale of the said lands and premises, shall be invested by them in trustee securities and the said purchase money shall be impressed with the same trusts as the said lands, namely: the income arising therefrom shall be paid to the minister, who for the time being shall be doing duty in the said church and in case of there being no incumbent doing duty in the said church as aforesaid, then the income arising therefrom shall be applied for the use and benefit of the said congregation of the said church.

Rights of
purchaser.

4. The purchaser or purchasers of the said lands shall not be bound to see to the application of the proceeds of said sale or sales as directed by this Act.

Commence-
ment of Act

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting St. Andrews Church,
Martintown.

1st Reading

2nd Reading

3rd Reading

MR. MCNAUGHTON

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting St. Andrews Church, Martintown.

MR. MCNAUGHTON

No. 41.

1930.

BILL

An Act respecting St. Andrews Church, Martintown.

Preamble.

WHEREAS the minister and trustees of St. Andrews Church, Martintown (United Church of Canada), in the township of Charlottenburgh, in the county of Glengarry, have, by their petition represented that by a Statute of Parliament of the Province of Canada passed in the twenty-fifth year of the reign of Her late Majesty, Queen Victoria, chaptered 88, it was enacted that it should and might be lawful for the then trustees of the congregation of the said St. Andrews Church, Martintown, which was then of the Presbyterian Church of Canada in connection with the Church of Scotland, to sell, alienate and convey by a good and sufficient title under their hands and seals, the west half of lot number sixteen on the south side of the River Aux Raisin in the township of Charlottenburgh, in the county of Glengarry, to any purchaser or purchasers thereof, and to apply the proceeds of such sale or sales to the purchase of a lot of ground in or near Martintown to be held by the trustees of the said congregation and their successors forever, to be appointed in the manner set forth in the said deed of grant and conveyance subject to the trusts in the said Act mentioned, to and in favour of the minister for the time being, of the said congregation of St. Andrews Church, Martintown, of the Presbyterian Church of Canada in connection with the Church of Scotland, the said west half of said lot number sixteen on the south side of the River Aux Raisin aforesaid, being a grant from the Crown to the said trustees of the said St. Andrews Church and commonly known as "Glebe;" and whereas the said trustees in pursuance of the said Statute duly sold the said lands and afterwards on the 29th day of December, A.D. 1863, purchased from one Duncan McMartin of the said township of Charlottenburgh, Yeoman, the following lands and premises to wit: all that certain parcel or tract of land and premises situate, lying and being in the township of Charlottenburgh, in the county of Glengarry, containing by admeasurement, forty-eight acres of land and composed of part of the east half of lot number twenty-six on the south side of the River Aux Raisin in the said township

of Charlottenburgh better known and described as follows, that is to say: commencing at a distance of eleven chains from the southeast angle of said lot on a course of north twenty-four degrees west, thence north twenty-four degrees west fifty chains and fifty-six links, thence south sixty-six degrees west nine chains and fifty links to the centre of said lot, thence south twenty-four degrees east fifty chains and fifty-six links, thence north sixty-six degrees east nine chains and fifty links to the place of beginning; to have and to hold the said premises subject to the conditions and limitations expressed in the original grant thereof from the Crown, unto the said trustees and their successors, upon trust, to permit the minister for the time being who shall be doing duty in the said St. Andrews Church at Martintown, according to the rites and communion of the Presbyterian Church of Canada, in connection with the Church of Scotland, to use, occupy and enjoy the same and to take the rents, issues and profits thereof, to and for his own use and benefit, and in case of there being no incumbent doing duty in the said church as aforesaid, then to allow the rents, issues and profits thereof, to and for the use and benefit of the said congregation; and whereas the said trustees still own the said lands and have represented by their said petition that the same are now entirely unremunerative and instead of being a source of revenue to the minister and congregation are likely to become a liability, that the said land has not been worked by any minister of the congregation for a period of over twenty years, nor is it ever likely to be so worked again, that it is increasingly difficult to secure a tenant for same, no tenant for the last two years having been secured, that the said property requires the expenditure of a considerable sum of money to repair fences and to kill weeds, and is likely to become liable for drainage taxes, in addition to which the ordinary municipal taxes amount to the sum of over forty dollars per annum, and further that it would be more advantageous to sell the said lands and invest the proceeds thereof in trustee securities, the income from which would furnish a never failing source of revenue, with comparatively little, if any expense attendant thereon; and whereas the congregation of the said St. Andrews Church have authorized the trustees thereof to take such action as is necessary to effect a sale of the said property; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The St. Andrews Church, Short title, Martintown (United Church of Canada), Act, 1930.*

Power
of trustees
to sell
certain
lands.

2. It shall and may be lawful for the trustees of said St. Andrews Church, Martintown (United Church of Canada), to sell and convey by a good and sufficient deed in fee simple all and singular, that certain parcel or tract of land and premises situate, lying and being in the township of Charlottenburgh, in the county of Glengarry, containing by admeasurement forty-eight acres of land and composed of part of the east half of lot number twenty-six on the south side of the River Aux Raisin, in the said township of Charlottenburgh, better known and described as follows, that is to say: Commencing at a distance of eleven chains from the southeast angle of said lot on a course of north twenty-four degrees west, thence north twenty-four degrees west fifty chains and fifty-six links, thence south sixty-six degrees west nine chains and fifty links to the centre of said lot, thence south twenty-four degrees east fifty chains and fifty-six links, thence north sixty-six degrees east nine chains and fifty links to the place of beginning.

Application
of purchase
money.

3. The purchase money received by the trustees of said St. Andrews Church, Martintown (United Church of Canada), from the sale of the said lands and premises, shall be invested by them in trustee securities and the said purchase money shall be impressed with the same trusts as the said lands, namely: the income arising therefrom shall be paid to the minister, who for the time being shall be doing duty in the said church and in case of there being no incumbent doing duty in the said church as aforesaid, then the income arising therefrom shall be applied for the use and benefit of the said congregation of the said church.

Rights of
purchaser.

4. The purchaser or purchasers of the said lands shall not be bound to see to the application of the proceeds of said sale or sales as directed by this Act.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting St. Andrews Church,
Martintown.

1st Reading

March 4th, 1930

2nd Reading

March 14th, 1930

3rd Reading

March 19th, 1930

MR. MCNAUGHTON

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to confirm By-law 1185 of the Township of Cornwall.

MR. MCNAUGHTON.

(PRIVATE BILL)

No. 42.

1930.

BILL

An Act to confirm By-law 1185 of the Township
of Cornwall.

Preamble

WHEREAS the municipal corporation of the township of Cornwall, in the county of Stormont, has by its petition represented that on the seventh day of February, 1930, the said corporation passed its by-law number 1185 for the year 1930, being a by-law to provide for borrowing the sum of \$32,823.13, upon debentures to pay for a balance due for the cost of constructing certain local improvements, being pavements constructed by the said corporation upon highways situate within the boundaries of the said corporation; and whereas the said by-law number 1185, was passed in order to provide for raising a larger sum of money than was originally intended to be raised by the said corporation by its former by-law number 1146, for the year 1927, which provided for borrowing the sum of \$24,277.30, an amount which was \$8,545.23 less than the proper amount required for paying the cost of the said local improvements, the deficiency arising by reason of an error on the part of the said corporation in relying upon receiving from the Department of Highways of the Province of Ontario a grant in aid of the said corporation in constructing the said local improvements larger than the grant to which ultimately the said corporation was proved to be entitled; and whereas the said corporation by its said petition has represented that it is desirable and necessary that said by-law number 1185 for the year 1930, should be made valid, binding and effective upon the said corporation and upon all the ratepayers thereof affected thereby, and that all the rates and assessments to be imposed thereby, and the debentures to be issued in pursuance thereof and the proceedings generally to be had thereunder should be by Act of the Legislative Assembly made valid and binding and effective; and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title, **1.** This Act may be cited as *The Township of Cornwall Debenture Act, 1930.*

By-law
No. 1185,
confirmed. **2.** By-law number 1185 of the municipal corporation of the township of Cornwall, in the county of Stormont, for the year 1930, as set forth in schedule "A" to this Act and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof.

Commence-
ment of
Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW NUMBER 1185 OF THE TOWNSHIP OF CORNWALL, IN THE COUNTY OF STORMONT, FOR THE YEAR 1930.

A By-law to provide for borrowing the sum of \$32,823.13 upon debentures to pay for a balance due for the cost of construction of certain local improvements.

Whereas by its By-law Number 1146 for the year 1927, the Corporation of the Township of Cornwall did provide for borrowing the sum of \$24,277.30 upon debentures to pay for the cost of construction of certain local improvements, therein fully set forth;

And whereas in the preparation of the said By-law and in determining the amount there provided to be raised, the Corporation proceeded upon the assumption that the Department of Highways for the Province of Ontario would pay thirty per cent. of the cost of the construction of certain of the said local improvements being concrete pavements on Hazel Avenue, Hickory Street and Alice Street, and on McDougald Avenue and Sheffield Street, all in the said Township of Cornwall, the construction of which was authorized by By-law Number 1131 of the said Corporation;

And whereas afterwards and upon the completion of the said local improvements, the said Department of Highways, under *The Highway Improvement Act*, decided to pay the said Corporation a sum of money, \$8,545.83, less than the said Corporation relied upon in passing By-law number 1146 aforesaid.

And whereas consequently there is a deficiency in the sums to be realized by the said Corporation from the owners liable for the construction of the said local improvements, including the Corporation itself, for street intersections and otherwise, and from the said Department of Public Highways, and it is necessary that the said By-law Number 1146 should be repealed, and this By-law passed to provide for the raising of the full amount necessary for paying for the said local improvements.

And whereas it is necessary to borrow on the credit of the Corporation the sum of \$32,823.13, being the total amount required to be raised to pay for said works, including said deficiency in respect of the cost of the said local improvements, as hereinbefore set forth, and to issue debentures therefor, payable within twenty years from the date of the issue thereof and bearing interest at the rate of five and one-half per centum per annum, which is the amount of the debt intended to be created by this By-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years from the date of the issue of the said debentures of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be, to the amount payable for principal and interest in each of the other years;

And whereas the total cost of the said works, the owners' proportion thereof and the Corporation's proportion thereof unprovided for, are shown in columns Four, Five and Six of Schedule "A," hereto attached.

And whereas the estimated lifetime of each of the said works is twenty-two years;

And whereas it will be necessary to raise annually the sum of \$2,746.62, as shown in column Nine of the said Schedule during the period of Twenty years for the payment of the said yearly sums of principal and interest, as they become due, of which amount the sums shown in column Seven of the Schedule shall be raised annually for the payment of the owners' proportion of the said cost and interest thereon and the sum shown in

column Eight of the said Schedule shall be raised annually for the payment of the Corporation's proportion of the said cost and the interest thereon;

And whereas the value of the whole rateable property of the Municipality, according to the last revised Assessment Roll thereof, is \$5,815,585.00;

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts, secured by said rates or assessments is nil.

Therefore, the Municipal Corporation of the Township of Cornwall, enacts as follows:

(1) By-law No. 1146 of the Corporation of the Township of Cornwall for the year 1927, is hereby repealed.

(2) For the purposes hereinbefore set forth there shall be borrowed, on the credit of the Corporation at large, the sum of \$32,823.13, and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of five and one-half per centum per annum and having coupons attached thereto for the payment of the interest.

(3) The debentures shall all bear the same date and shall be issued within two years after the date on which this By-law is passed, and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued and the respective amounts of principal and interest, payable in each of said years, shall be in accordance with the statement appearing in Schedule "B" to this By-law, which together with Schedule "A" is hereby declared to be and form part of this By-law.

(4) The debentures, as to both principal and interest, may be payable at the office of the Treasurer of the Township of Cornwall.

(5) The Reeve of the Corporation shall sign and issue the debentures, and the said debentures and the interest coupons shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation.

(6) During twenty years, the currency of the debentures, there shall be raised annually for the payment of the owners' portion of the said cost and interest thereon the sums shown in column Seven of said Schedule "A," and for the payment of the Corporation's portion of the cost, and the interest thereon, there shall be raised annually the sums shown in column number Eight of said Schedule, making in all \$2,746.62, as shown in column number Nine of said Schedule "A," to be raised annually for the payment of the said debt and interest.

(7) For the payment of the owners' portion of the cost of each of said works, and the interest thereon, the special assessment set forth in the special assessment rolls, prepared for the said works, is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in twenty equal annual instalments of \$1,562.07 each during twenty years, the currency of the debentures, as shown in column number Seven of said Schedule "A," and for that purpose the respective annual special rates per foot frontage, as shown in column number Eleven of said Schedule "A," are hereby imposed on the lands entered in the said special assessments rolls for each of the said works, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates.

(8) For the payment of the Corporation's portion of the cost of each of said works, and the interest thereon as aforesaid, there shall be levied and raised annually, a special rate sufficient therefor, over and above all other

rates on all the rateable property in the Municipality at the same time and in the same manner as other rates.

(9) The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal debentures in force at the time of the issue thereof.

(10) This By-law shall take effect on the day of the final passing thereof.

Read a first, second and third time in open Council and finally passed this Seventh day of February, A.D. 1930.

(Sgd.) W. A. MURRAY, *Reeve.*

[SEAL.]

(Sgd.) J. W. McLEOD, *Clerk.*

Schedule "A"
ATTACHED TO DEBENTURE BY-LAW No. 1185
TOWNSHIP OF CORNWALL

1 STREET	2 FROM	3 TO	4 Total Cost Un- provided For	5 Owners' Portion	6 Cor- porations' Portion	Total Cost to be Raised Annually For			10 Frontage of Assessed Property in Feet	11 Annual Rate Per Foot Frontage Cents
						7 Owners' Portion	8 Cor- porations' Portion	9 Pay- ment of Debt		
1. Hazel Ave.....	Prov. Highway (Montreal Rd.)	South End of Ave	\$4,356 46	\$2,651 01	\$1,705 45	\$221 84	\$142 71	\$364 55	1,364	16.264
2. Hickory St.....	Prov. Highway (Montreal Rd.)	South End of St.	4,649 10	2,847 64	1,801 46	238 29	150 74	389 03	1,698½	14.030
3. Sheffield St., Mc- Dougall Ave. and Alice St.....	Marlborough St.	Prov. Highway (Montreal Rd.)	23,817 57	13,168 67	10,648 90	1,101 94	891 10	1,993 04	6,426½	17.147
	Totals.....	.....	\$32,823 13	\$18,667 32	\$14,155 81	\$1,562 07	\$1,184 55	\$2,746 62		

BILL.

An Act respecting the Township
of Cornwall.

1st Reading

2nd Reading

3rd Reading

MR. MCNAUGHTON.

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to confirm By-law 1185 of the Township of Cornwall.

MR. McNAUGHTON.

No. 42.

1930.

BILL

An Act to confirm By-law 1185 of the Township
of Cornwall.

Preamble

WHEREAS the municipal corporation of the township of Cornwall, in the county of Stormont, has by its petition represented that on the seventh day of February, 1930, the said corporation passed its by-law number 1185 for the year 1930, being a by-law to provide for borrowing the sum of \$32,823.13, upon debentures to pay for a balance due for the cost of constructing certain local improvements, being pavements constructed by the said corporation upon highways situate within the boundaries of the said corporation; and whereas the said by-law number 1185, was passed in order to provide for raising a larger sum of money than was originally intended to be raised by the said corporation by its former by-law number 1146, for the year 1927, which provided for borrowing the sum of \$24,277.30, an amount which was \$8,545.23 less than the proper amount required for paying the cost of the said local improvements, the deficiency arising by reason of an error on the part of the said corporation in relying upon receiving from the Department of Highways of the Province of Ontario a grant in aid of the said corporation in constructing the said local improvements larger than the grant to which ultimately the said corporation was proved to be entitled; and whereas the said corporation by its said petition has represented that it is desirable and necessary that said by-law number 1185 for the year 1930, should be made valid, binding and effective upon the said corporation and upon all the ratepayers thereof affected thereby, and that all the rates and assessments to be imposed thereby, and the debentures to be issued in pursuance thereof and the proceedings generally to be had thereunder should be by Act of the Legislative Assembly made valid and binding and effective; and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Township of Cornwall* Short title,
Debenture Act, 1930.

2. By-law number 1185 of the municipal corporation of the By-law
No. 1185,
confirmed.
 township of Cornwall, in the county of Stormont, for the year
 1930, as set forth in schedule "A" to this Act and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof.

3. This Act shall come into force on the day upon which it Commence-
ment of
Act.
 receives the Royal Assent.

SCHEDULE "A"

BY-LAW NUMBER 1185 OF THE TOWNSHIP OF CORNWALL, IN THE COUNTY OF STORMONT, FOR THE YEAR 1930.

A By-law to provide for borrowing the sum of \$32,823.13 upon debentures to pay for a balance due for the cost of construction of certain local improvements.

Whereas by its By-law Number 1146 for the year 1927, the Corporation of the Township of Cornwall did provide for borrowing the sum of \$24,277.30 upon debentures to pay for the cost of construction of certain local improvements, therein fully set forth;

And whereas in the preparation of the said By-law and in determining the amount there provided to be raised, the Corporation proceeded upon the assumption that the Department of Highways for the Province of Ontario would pay thirty per cent. of the cost of the construction of certain of the said local improvements being concrete pavements on Hazel Avenue, Hickory Street and Alice Street, and on McDougald Avenue and Sheffield Street, all in the said Township of Cornwall, the construction of which was authorized by By-law Number 1131 of the said Corporation;

And whereas afterwards and upon the completion of the said local improvements, the said Department of Highways, under *The Highway Improvement Act*, decided to pay the said Corporation a sum of money, \$8,545.83, less than the said Corporation relied upon in passing By-law number 1146 aforesaid.

And whereas consequently there is a deficiency in the sums to be realized by the said Corporation from the owners liable for the construction of the said local improvements, including the Corporation itself, for street intersections and otherwise, and from the said Department of Public Highways, and it is necessary that the said By-law Number 1146 should be repealed, and this By-law passed to provide for the raising of the full amount necessary for paying for the said local improvements.

And whereas it is necessary to borrow on the credit of the Corporation the sum of \$32,823.13, being the total amount required to be raised to pay for said works, including said deficiency in respect of the cost of the said local improvements, as hereinbefore set forth, and to issue debentures therefor, payable within twenty years from the date of the issue thereof and bearing interest at the rate of five and one-half per centum per annum, which is the amount of the debt intended to be created by this By-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years from the date of the issue of the said debentures of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be, to the amount payable for principal and interest in each of the other years;

And whereas the total cost of the said works, the owners' proportion thereof and the Corporation's proportion thereof unprovided for, are shown in columns Four, Five and Six of Schedule "A," hereto attached.

And whereas the estimated lifetime of each of the said works is twenty two years;

And whereas it will be necessary to raise annually the sum of \$2,746.62, as shown in column Nine of the said Schedule during the period of Twenty years for the payment of the said yearly sums of principal and interest, as they become due, of which amount the sums shown in column Seven of the Schedule shall be raised annually for the payment of the owners' proportion of the said cost and interest thereon and the sum shown in

column Eight of the said Schedule shall be raised annually for the payment of the Corporation's proportion of the said cost and the interest thereon;

And whereas the value of the whole rateable property of the Municipality, according to the last revised Assessment Roll thereof, is \$5,815,585.00;

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts, secured by said rates or assessments is nil.

Therefore, the Municipal Corporation of the Township of Cornwall, enacts as follows:

(1) By-law No. 1146 of the Corporation of the Township of Cornwall for the year 1927, is hereby repealed.

(2) For the purposes hereinbefore set forth there shall be borrowed, on the credit of the Corporation at large, the sum of \$32,823.13, and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of five and one-half per centum per annum and having coupons attached thereto for the payment of the interest.

(3) The debentures shall all bear the same date and shall be issued within two years after the date on which this By-law is passed, and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued and the respective amounts of principal and interest, payable in each of said years, shall be in accordance with the statement appearing in Schedule "B" to this By-law, which together with Schedule "A" is hereby declared to be and form part of this By-law.

(4) The debentures, as to both principal and interest, may be payable at the office of the Treasurer of the Township of Cornwall.

(5) The Reeve of the Corporation shall sign and issue the debentures, and the said debentures and the interest coupons shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation.

(6) During twenty years, the currency of the debentures, there shall be raised annually for the payment of the owners' portion of the said cost and interest thereon the sums shown in column Seven of said Schedule "A," and for the payment of the Corporation's portion of the cost, and the interest thereon, there shall be raised annually the sums shown in column number Eight of said Schedule, making in all \$2,746.62, as shown in column number Nine of said Schedule "A," to be raised annually for the payment of the said debt and interest.

(7) For the payment of the owners' portion of the cost of each of said works, and the interest thereon, the special assessment set forth in the special assessment rolls, prepared for the said works, is hereby imposed upon the lands liable therefor, as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in twenty equal annual instalments of \$1,562.07 each during twenty years, the currency of the debentures, as shown in column number Seven of said Schedule "A," and for that purpose the respective annual special rates per foot frontage, as shown in column number Eleven of said Schedule "A," are hereby imposed on the lands entered in the said special assessments rolls for each of the said works, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation, at the same time and in the same manner as other rates.

(8) For the payment of the Corporation's portion of the cost of each of said works, and the interest thereon as aforesaid, there shall be levied and raised annually, a special rate sufficient therefor, over and above all other

rates on all the rateable property in the Municipality at the same time and in the same manner as other rates.

(9) The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to Municipal debentures in force at the time of the issue thereof.

(10) This By-law shall take effect on the day of the final passing thereof.

Read a first, second and third time in open Council and finally passed this Seventh day of February, A.D. 1930.

(Sgd.) W. A. MURRAY, *Reeve*.

[SEAL.]

(Sgd.) J. W. McLEOD, *Clerk*.

Schedule "A"

ATTACHED TO DEBENTURE BY-LAW No. 1185

TOWNSHIP OF CORNWALL

1 STREET	2 FROM	3 TO	4 Total Cost Un- provided For	5 Owners' Portion	6 Cor- porations' Portion	Total Cost to be Raised Annually For			10 Frontage of Assessed Property in Feet	11 Annual Rate Per Foot Frontage Cents
						7 Owners' Portion	8 Cor- porations' Portion	9 Pay- ment of Debt		
1. Hazel Ave.....	Prov. Highway (Montreal Rd.)	South End of Ave	\$4,356 46	\$2,651 01	\$1,705 45	\$221 84	\$142 71	\$364 55	1,364	16.264
2. Hickory St.....	Prov. Highway (Montreal Rd.)	South End of St.	4,649 10	2,847 64	1,801 46	238 29	150 74	389 03	1,698½	14.030
3. Sheffield St., Mc- Dougall Ave. and Alice St.....	Marlborough St. Prov. Highway (Montreal Rd.)	Prov. Highway (Montreal Rd.)	23,817 57	13,168 67	10,648 90	1,101 94	891 10	1,993 04	6,426½	17.147
Totals.....			\$32,823 13	\$18,667 32	\$14,155 81	\$1,562 07	\$1,184 55	\$2,746 62		

BILL.

An Act respecting the Township
of Cornwall.

1st Reading

March 4th, 1930

2nd Reading

March 19th, 1930

3rd Reading

March 24th, 1930

MR. MCNAUGHTON.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to validate an Agreement between the Municipal Corporation
of the township of Cornwall and Fibre Conduits,
Canada, Limited.

MR. McNAUGHTON.

(PRIVATE BILL)

No. 43.

1930.

BILL

An Act to validate an Agreement between the
Municipal Corporation of the Township of
Cornwall and Fibre Conduits,
Canada, Limited.

Preamble.

WHEREAS the municipal corporation of the township of Cornwall, in the county of Stormont, has by its petition represented that on the thirtieth day of September, 1929, the said corporation entered into an agreement with Fibre Conduits, Canada, Limited, a body corporate, having its head office at the city of Montreal, in the province of Quebec, whereby the said company agreed to establish within the municipal boundaries of the said corporation, a factory for the manufacture of fibre conduits, and whereby the said corporation agreed to fix the assessment of the lands and buildings of the said company at the sum of twenty-four hundred dollars for a period of ten years from the first day of January, 1930; and whereas under and by the said agreement the said company agreed to construct certain buildings, expend certain moneys, employ certain operatives and expend certain wages, which agreement is set out in schedule "A" hereto, and whereas the said corporation by its by-law number 1177 for the year 1929 as set out in schedule "B" hereto, did authorize and empower the reeve and clerk of the said corporation to execute the said agreement and attach the corporate seal thereto; and whereas the said corporation has by its petition represented that the establishment of the said industry within the corporate limits of the said corporation will be of great advantage to the said corporation; and whereas the said corporation has, by its said petition, prayed that an Act may be passed authorizing and making legal and binding the said by-law and the said agreement, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Cornwall Act, 1930.*

By-law 1177
and agree-
ment with
Fibre
Conduits,
Canada,
Limited,
confirmed.

2.—(1) Subject to the provisions of subsection 2, by-law number 1177 of the municipal corporation of the township of Cornwall, county of Stormont, for the year 1929, as set forth in schedule "B" to this Act and the agreement therein referred to between the said corporation and said Fibre Conduits, Canada, Limited, as set forth in schedule "A" to this Act, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and on the said Fibre Conduits, Canada, Limited.

School tax
and local
improve-
ment rates
not
affected.

(2) Notwithstanding anything therein contained the said by-law and agreement shall not affect or apply to taxation for school purposes or local improvements.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

This Agreement made the thirtieth day of September, A.D. 1929.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, in the
County of Stormont and Province of Ontario, and
Dominion of Canada, hereinafter called the Corporation,

of the first part;

AND

FIBRE CONDUITS, CANADA, LIMITED, a body corporate,
having its head office and chief place of business at the
City of Montreal, in the Province of Quebec, hereinafter
called the Company,

of the second part.

Whereas the Company proposes to engage in the manufacture of Fibre Conduit, and are desirous of establishing a factory for this purpose within the Municipal boundaries of the Corporation;

And whereas the said Company are negotiating for the acquisition of part of lot number Twelve in the First Concession of the Township of Cornwall aforesaid, as a site for the establishment of their said factory;

And whereas it would be in the interests of the Corporation to have the said Manufacturing business established within its limits;

And whereas it is desirable that an Agreement should be entered into between the Corporation of the Township of Cornwall and the Company setting forth what should be done by the Company in establishing and operating the said business, and by the said Corporation in respect of the rates and taxes of the said Company;

Now this Indenture and Agreement witnesseth that the Corporation and the Company agree as follows:

1. The Company will erect within one year from the date hereof, buildings constructed of steel, cement and brick to the value of at least Fifty thousand dollars (\$50,000.00) and shall equip the same with suitable plant and machinery for the operation of said plant and premises as a factory for the production of fibre conduit.
2. The Company will employ a minimum number of twenty employees, all males, and will pay out in wages a minimum annual sum of Twenty thousand dollars (\$20,000.00).
3. The Company will provide at its own expense, all necessary water and sewerage facilities and its own fire protection.
4. The Company will provide and maintain at its own expense, all roads which it may require on the land being acquired by it.
5. The Company will furnish to the Corporation free of charge, all surplus cinders made on its premises not used by the Company as the same may be required by the Corporation.
6. The assessment of the Company on land and buildings and including business assessment, but exclusive of school rates, shall be fixed at the sum of Twenty-four hundred dollars (\$2,400.00) for a period of ten years from the First day of January, 1930.
7. This Agreement shall not affect the duty of the Company to pay rates for school purposes.

8. This Agreement shall enure to the benefit of, and be binding upon any other Company which the Company herein named, may find it necessary or expedient to transfer its business to for any reason.

9. In the event of the Company disposing of any part of the lands now being acquired by it, the benefits of this Agreement shall not accrue to any industry that may be established thereon.

In witness whereof the Reeve and Clerk of the Township of Cornwall have hereunto set their hands and affixed the Corporate Seal and said Fibre Conduits, Canada, Limited, have also set the hands of their proper officers thereunto lawfully authorized and have affixed their Corporate Seal.

(SEAL.)

(Sgd.) V. McDONALD, *Reeve*.

(Sgd.) J. W. McLEOD, *Clerk*.

SCHEDULE "B."

BY-LAW NUMBER 1177 OF THE TOWNSHIP OF CORNWALL IN THE COUNTY OF STORMONT, FOR THE YEAR 1929.

A By-law for fixing the assessment upon the property of Fibre Conduits, Canada, Limited, in the Township of Cornwall, for a period of ten years and authorizing the execution of an Agreement between the said Company and the said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an Agreement bearing even date herewith, to fix the assessment and taxes on all lands, buildings, machinery and plant including business assessment of Fibre Conduits, Canada, Limited, for a period of ten years as set out in said Agreement and upon the terms, the provisoes and conditions in said Agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said Agreement and attach the Corporate Seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall and it is hereby enacted that the Reeve and Clerk thereof be, and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said Agreement with said Fibre Conduits, Canada, Limited, bearing date the Thirtieth day of September, 1929;

And it is hereby further enacted that the said Agreement with said Fibre Conduits, Canada, Limited, shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf.

Passed in open Council, signed and sealed this Thirtieth day of September, A.D. 1929.

(SEAL.)

(Sgd.) V. McDONALD, *Reeve*.

(Sgd.) J. W. McLEOD, *Clerk*.

BILL.

An Act to validate an Agreement between
the Municipal Corporation of the
Township of Cornwall and Fibre
Conduits, Canada, Limited.

1st Reading

2nd Reading

3rd Reading

MR. MCNAUGHTON.

(PRIVATE BILL.)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to validate an Agreement between the Municipal Corporation
of the township of Cornwall and Fibre Conduits,
Canada, Limited.

MR. MCNAUGHTON.

No. 43.

1930.

BILL

An Act to validate an Agreement between the
Municipal Corporation of the Township of
Cornwall and Fibre Conduits,
Canada, Limited.

Preamble.

WHEREAS the municipal corporation of the township of Cornwall, in the county of Stormont, has by its petition represented that on the thirtieth day of September, 1929, the said corporation entered into an agreement with Fibre Conduits, Canada, Limited, a body corporate, having its head office at the city of Montreal, in the province of Quebec, whereby the said company agreed to establish within the municipal boundaries of the said corporation, a factory for the manufacture of fibre conduits, and whereby the said corporation agreed to fix the assessment of the lands and buildings of the said company at the sum of twenty-four hundred dollars for a period of ten years from the first day of January, 1930; and whereas under and by the said agreement the said company agreed to construct certain buildings, expend certain moneys, employ certain operatives and expend certain wages, which agreement is set out in schedule "A" hereto, and whereas the said corporation by its by-law number 1177 for the year 1929 as set out in schedule "B" hereto, did authorize and empower the reeve and clerk of the said corporation to execute the said agreement and attach the corporate seal thereto; and whereas the said corporation has by its petition represented that the establishment of the said industry within the corporate limits of the said corporation will be of great advantage to the said corporation; and whereas the said corporation has, by its said petition, prayed that an Act may be passed authorizing and making legal and binding the said by-law and the said agreement, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Cornwall Act, 1930.*

2.—(1) Subject to the provisions of subsection 2, by-law number 1177 of the municipal corporation of the township of Cornwall, county of Stormont, for the year 1929, as set forth in schedule "B" to this Act and the agreement therein referred to between the said corporation and said Fibre Conduits, Canada, Limited, as set forth in schedule "A" to this Act, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and on the said Fibre Conduits, Canada, Limited.

(2) Notwithstanding anything therein contained the said by-law and agreement shall not affect or apply to taxation for school purposes or local improvements.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

This Agreement made the thirtieth day of September, A.D. 1929.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, in the
County of Stormont and Province of Ontario, and
Dominion of Canada, hereinafter called the Corporation,

of the first part;

AND

FIBRE CONDUITS, CANADA, LIMITED, a body corporate,
having its head office and chief place of business at the
City of Montreal, in the Province of Quebec, hereinafter
called the Company,

of the second part.

Whereas the Company proposes to engage in the manufacture of
Fibre Conduit, and are desirous of establishing a factory for this purpose
within the Municipal boundaries of the Corporation;

And whereas the said Company are negotiating for the acquisition
of part of lot number Twelve in the First Concession of the Township of
Cornwall aforesaid, as a site for the establishment of their said factory;

And whereas it would be in the interests of the Corporation to have
the said Manufacturing business established within its limits;

And whereas it is desirable that an Agreement should be entered into
between the Corporation of the Township of Cornwall and the Company
setting forth what should be done by the Company in establishing and
operating the said business, and by the said Corporation in respect of
the rates and taxes of the said Company;

Now this Indenture and Agreement witnesseth that the Corporation
and the Company agree as follows:

1. The Company will erect within one year from the date hereof,
buildings constructed of steel, cement and brick to the value of at least
Fifty thousand dollars (\$50,000.00) and shall equip the same with suitable
plant and machinery for the operation of said plant and premises as a
factory for the production of fibre conduit.

2. The Company will employ a minimum number of twenty employees,
all males, and will pay out in wages a minimum annual sum of Twenty
thousand dollars (\$20,000.00).

3. The Company will provide at its own expense, all necessary water
and sewerage facilities and its own fire protection.

4. The Company will provide and maintain at its own expense, all
roads which it may require on the land being acquired by it.

5. The Company will furnish to the Corporation free of charge, all
surplus cinders made on its premises not used by the Company as the
same may be required by the Corporation.

6. The assessment of the Company on land and buildings and including
business assessment, but exclusive of school rates, shall be fixed at the
sum of Twenty-four hundred dollars (\$2,400.00) for a period of ten years
from the First day of January, 1930.

7. This Agreement shall not affect the duty of the Company to pay
rates for school purposes.

8. This Agreement shall enure to the benefit of, and be binding upon any other Company which the Company herein named, may find it necessary or expedient to transfer its business to for any reason.

9. In the event of the Company disposing of any part of the lands now being acquired by it, the benefits of this Agreement shall not accrue to any industry that may be established thereon.

In witness whereof the Reeve and Clerk of the Township of Cornwall have hereunto set their hands and affixed the Corporate Seal and said Fibre Conduits, Canada, Limited, have also set the hands of their proper officers thereunto lawfully authorized and have affixed their Corporate Seal.

(SEAL.)

(Sgd.) V. McDONALD, *Reeve*.

(Sgd.) J. W. McLEOD, *Clerk*.

SCHEDULE "B."

BY-LAW NUMBER 1177 OF THE TOWNSHIP OF CORNWALL IN THE COUNTY OF STORMONT, FOR THE YEAR 1929.

A By-law for fixing the assessment upon the property of Fibre Conduits, Canada, Limited, in the Township of Cornwall, for a period of ten years and authorizing the execution of an Agreement between the said Company and the said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an Agreement bearing even date herewith, to fix the assessment and taxes on all lands, buildings, machinery and plant including business assessment of Fibre Conduits, Canada, Limited, for a period of ten years as set out in said Agreement and upon the terms, the provisoes and conditions in said Agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said Agreement and attach the Corporate Seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall and it is hereby enacted that the Reeve and Clerk thereof be, and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said Agreement with said Fibre Conduits, Canada, Limited, bearing date the Thirtieth day of September, 1929;

And it is hereby further enacted that the said Agreement with said Fibre Conduits, Canada, Limited, shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf.

Passed in open Council, signed and sealed this Thirtieth day of September, A.D. 1929.

(SEAL.)

(Sgd.) V. McDONALD, *Reeve*.

(Sgd.) J. W. McLEOD, *Clerk*.

BILL.

An Act to validate an Agreement between
the Municipal Corporation of the
Township of Cornwall and Fibre
Conduits, Canada, Limited.

1st Reading

March 4th, 1930

2nd Reading

March 19th, 1930

3rd Reading

March 24th, 1930

MR. McNAUGHTON.

No. 44

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting The Toronto Casualty, Fire and Marine Insurance
Company.

MR. MACAULAY.

(PRIVATE BILL)

No. 44.

1930.

BILL

An Act respecting The Toronto Casualty, Fire and Marine Insurance Company.

Preamble.

WHEREAS The Toronto Casualty, Fire and Marine Insurance Company has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Redivision
of shares.Rev. Stat.,
c. 218.

1. Subject to the provisions of *The Companies Act* not to the contrary, the capital stock of The Toronto Casualty, Fire and Marine Insurance Company may be redivided into shares of a lower par value than \$10, or into shares of no par value.

BILL.

An Act respecting The Toronto Casualty,
Fire and Marine Insurance
Company.

1st Reading

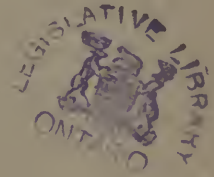
2nd Reading

3rd Reading

MR. MACAULAY.

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930



BILL

An Act respecting The Toronto *General* Insurance Company.

MR. MACAULAY.

(PRIVATE BILL)

No. 44.

1930.

BILL

An Act respecting The Toronto *General* Insurance Company.

Preamble.

WHEREAS The Toronto Casualty and Marine Insurance Company was incorporated on the 21st day of July, 1921, by letters patent under the great seal of the Province of Ontario, pursuant to the provisions of *The Ontario Insurance Act*; and whereas by an order-in-council, dated the 12th day of March, 1922, the name of the said company was changed from The Toronto Casualty and Marine Insurance Company to The Toronto Casualty, Fire and Marine Insurance Company; and whereas by supplementary letters patent under the great seal of the Province of Ontario, dated the 9th day of November, 1928, the capital structure of the company was re-arranged under the authority of *The Ontario Companies Act* by exchange of new shares of par value of \$10 for shares previously issued; and whereas by order-in-council, dated the 11th day of March, 1930, the name of the said company was changed from The Toronto Casualty, Fire and Marine Insurance Company to The Toronto General Insurance Company; and whereas the said company has, by its petition, prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Changing
par value of
shares.

1. The directors may at any time pass a by-law providing for increasing or reducing the par value of the shares in the capital stock of the company, and in such by-law may provide a plan of dealing with fractional shares resulting from such increase or reduction in par value, including therein provisions (a) to call in outstanding certificates of stock and issue new certificates; (b) to issue certificates for fractional parts of shares; (c) to accumulate and consolidate fractional parts of shares into shares of the new par value; (d) to buy and sell such fractional parts; (e) after consolidating fractional parts of shares into shares of the new par value, to sell the same; (f)

Provisoes.

if such fractional parts of shares have not all been accumulated and consolidated or otherwise dealt with after the expiration of six months from the passing of the by-law changing the par value of the shares, then after giving at least thirty days' notice to each holder of a fractional part to purchase all such fractional parts at the then market price, as indicated by the then last sale of stock, or at such price, not being less than the market price, as the directors may determine upon; and that such price may be paid by crediting each such shareholder in the books of the company with the amount which shall thereafter be payable to each such shareholder on demand and that such action shall operate as an extinguishment of the rights of such shareholders to such fractional parts. Provided always that all such shares or fractional parts of shares acquired by the company shall be sold or disposed of by it within two years from the acquisition thereof; and provided further that as often as any shareholder appears on the stock register or share register of the company as holding fractional parts of shares which together amount to the new par value of a share or to any multiple thereof, such shareholder shall thenceforth be deemed to hold an equivalent amount in shares of the new par value, and when the certificates therefor are issued they shall be certificates for shares of the new par value.

Reducing
capital stock.

2.—(1) If the paid-up capital stock of the company is at any time impaired (and the capital stock shall for this purpose be deemed to be impaired when the assets of the company are insufficient to meet its liabilities including in the said liabilities a re-insurance reserve of eighty per centum of the *pro rata* unearned premiums and the paid-up capital stock of the company) the directors may from time to time pass a by-law for reducing the paid-up capital stock of the company by such amount as seems desirable and reducing the issued stock of the company by the amount of the reduction of the paid-up portion thereof.

(2) Such reduction in the paid-up capital stock may be effected either by reducing the par value of the shares or by reducing the number of shares outstanding, as nearly as possible, in proportion to the respective holdings of every shareholder according to a plan to be embodied in the said by-law; and such plan may provide for the disposition of fractional parts of shares where necessary and the directors may call in and cancel the shares so reduced and issue new shares and certificates therefor as may be deemed expedient, and the register of the company shall be amended in accordance with every change in the shares thereof.

(3) Any such plan providing for the disposition of fractional parts of shares may include the right on the part of the com-

pany to require the holder of any such fractional part to sell and the right on the part of the company to buy the same; and such plan may provide for accumulating, consolidating and selling fractional parts and for the extinguishment of the rights of the holders of such fractional parts, in the manner hereinbefore provided with respect to changing the par value of shares of the capital stock of the company; provided that all shares so acquired by the company shall be sold within two years from the acquisition thereof.

Issue of
new shares.

3. The directors may, from time to time, pass a by-law providing for the issue or re-issue of new stock of the company to the amount by which the paid-up capital stock has been in any manner reduced, written off, called in or cancelled, but so that the capital stock shall not at any time exceed the authorized capital stock of the company, and all stock issued after the passing of this Act shall rank in all respects *pari passu* with the existing stock, subject always to the right to issue part of the same as preference stock, and to the preference and priority over ordinary stock given in respect thereto; and such new stock may, notwithstanding anything herein contained be issued, allotted and called in from time to time in such manner as the directors determine.


Rights to
subscribe.

4. Every new issue of stock shall first be offered for subscription to the shareholders of the company in proportion, as nearly as possible to their respective holdings for the time being, and the by-law may provide a limited time within which such right to subscribe may be exercised.

Con-
firmation
by share-
holders.

5. A by-law passed by the directors pursuant to this Act shall take effect according to its terms when confirmed by at least two-thirds of the votes cast at a general meeting of shareholders duly called for considering the by-law.

Powers
additional
to present
powers.

6. The powers given to the company and its directors under this Act shall be deemed to be an addition to any powers which the company now has by virtue of *The Companies Act*, or of the letters patent or supplementary letters patent of the company. 

BILL.

An Act respecting The Toronto General
Insurance Company.

1st Reading

March 4th, 1930.

2nd Reading

3rd Reading

MR. MACAULAY.

*(Reprinted with suggested amendments for
consideration by the Private
Bills Committee).*

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting The Toronto General Insurance Company.

MR. MACAULAY.

No. 44.

1930.

BILL

An Act respecting The Toronto General Insurance Company.

Preamble.

WHEREAS The Toronto Casualty and Marine Insurance Company was incorporated on the 21st day of July, 1921, by letters patent under the great seal of the Province of Ontario, pursuant to the provisions of *The Ontario Insurance Act*; and whereas by an order-in-council, dated the 12th day of March, 1922, the name of the said company was changed from The Toronto Casualty and Marine Insurance Company to The Toronto Casualty, Fire and Marine Insurance Company; and whereas by supplementary letters patent under the Great Seal of the Province of Ontario, dated the 9th day of November, 1928, the capital structure of the company was re-arranged under the authority of *The Companies Act* by exchange of new shares of par value of \$10 for shares previously issued; and whereas by order-in-council, dated the 11th day of March, 1930, the name of the said company was changed from The Toronto Casualty, Fire and Marine Insurance Company to The Toronto General Insurance Company; and whereas the said company has, by its petition, prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Changing
par value of
shares.

1. The directors may at any time pass a by-law providing for increasing or reducing the par value of the shares in the capital stock of the company, and in such by-law may provide a plan of dealing with fractional shares resulting from such increase or reduction in par value, including therein provisions (a) to call in outstanding certificates of stock and issue new certificates; (b) to issue certificates for fractional parts of shares; (c) to accumulate and consolidate fractional parts of shares into shares of the new par value; (d) to buy and sell such fractional parts; (e) after consolidating fractional parts of shares into shares of the new par value, to sell the same; (f)

if such fractional parts of shares have not all been accumulated and consolidated or otherwise dealt with after the expiration of six months from the passing of the by-law changing the par value of the shares, then after giving at least thirty days' notice to each holder of a fractional part to purchase all such fractional parts at the then market price, as indicated by the then last sale of stock, or at such price, not being less than the market price, as the directors may determine upon; and that such price may be paid by crediting each such shareholder in the books of the company with the amount which shall thereafter be payable to each such shareholder on demand and that such action shall operate as an extinguishment of the rights of such shareholders to such fractional parts. ^{Proviso es.} Provided always that all such shares or fractional parts of shares acquired by the company shall be sold or disposed of by it within two years from the acquisition thereof; and provided further that as often as any shareholder appears on the stock register or share register of the company as holding fractional parts of shares which together amount to the new par value of a share or to any multiple thereof, such shareholder shall thenceforth be deemed to hold an equivalent amount in shares of the new par value, and when the certificates therefor are issued they shall be certificates for shares of the new par value.

2.—(1) If the paid-up capital stock of the company is at any time impaired (and the capital stock shall for this purpose be deemed to be impaired when the assets of the company are less than its liabilities, including in the said liabilities a re-insurance reserve of eighty per centum of the *pro rata* unearned premiums and the paid-up capital stock of the company) the directors may from time to time pass a by-law for reducing the paid-up capital stock of the company by such amount as seems desirable and reducing the issued stock of the company by the amount of the reduction of the paid-up portion thereof. ^{Reducing capital stock.}

(2) Such reduction in the paid-up capital stock may be effected either by reducing the par value of the shares or by reducing the number of shares outstanding, as nearly as possible, in proportion to the respective holdings of every shareholder according to a plan to be embodied in the said by-law; and such plan may provide for the disposition of fractional parts of shares where necessary and the directors may call in and cancel the shares so reduced and issue new shares and certificates therefor as may be deemed expedient, and the register of the company shall be amended in accordance with every change in the shares thereof.

(3) Any such plan providing for the disposition of fractional parts of shares may include the right on the part of the com-

pany to require the holder of any such fractional part to sell and the right on the part of the company to buy the same; and such plan may provide for accumulating, consolidating and selling fractional parts and for the extinguishment of the rights of the holders of such fractional parts, in the manner hereinbefore provided with respect to changing the par value of shares of the capital stock of the company; provided that all shares so acquired by the company shall be sold within two years from the acquisition thereof.

Issue of
new shares.

3. The directors may, from time to time, pass a by-law providing for the issue or re-issue of new stock of the company to the amount by which the paid-up capital stock has been in any manner reduced, written off, called in or cancelled, but so that the capital stock shall not at any time exceed the authorized capital stock of the company, and all stock issued after the passing of this Act shall rank in all respects *pari passu* with the existing stock, subject always to the right to issue part of the same as preference stock, and to the preference and priority over ordinary stock given in respect thereto; and such new stock may, notwithstanding anything herein contained be issued, allotted and called in from time to time in such manner as the directors determine.

Right to
subscribe.

4. Every new issue of stock shall first be offered for subscription to the shareholders of the company in proportion, as nearly as possible to their respective holdings for the time being, and the by-law may provide a limited time within which such right to subscribe may be exercised.

Con-
firmation
by share-
holders.

5. A by-law passed by the directors pursuant to this Act shall take effect according to its terms when confirmed by at least two-thirds of the votes cast at a general meeting of shareholders duly called for considering the by-law.

Powers
additional
to present
powers.

6. The powers given to the company and its directors under this Act shall be deemed to be an addition to any powers which the company now has by virtue of *The Companies Act*, or of the letters patent or supplementary letters patent of the company.

BILL.

An Act respecting The Toronto General
Insurance Company.

1st Reading

March 4th, 1930.

2nd Reading

March 19th, 1930

3rd Reading

March 24th, 1930

MR. MACAULAY.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Sudbury.

MR. ROBB

(PRIVATE BILL)

No. 45.

1930.

BILL

An Act respecting the Town of Sudbury.

Preamble.

WHEREAS the municipal corporation of the town of Sudbury has by its petition represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued and to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purpose; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Sudbury Act, 1930*.

Confirmation of by-laws and debentures.

2. The by-laws specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

No. By-law	Date of Passing By-law	Nature of Work under By-law	Amount Debt Created	Amount Payable by Town	Amount Payable by Ratepayers	Period of Payment	Rate of Interest
1197	Jan. 28th, 1930	A By-law to provide for borrowing \$16,000.00 upon debentures for the purpose of paying for equipment for the waterworks system of the Town of Sudbury.....	\$16,000 00	\$16,000 00	.....	20 years	5%
1198	Jan. 28th, 1930	A By-law to provide for borrowing \$65,000.00 upon debentures for the purpose of paying for the construction of extensions to the electric light system of the Town of Sudbury.....	\$65,000 00	\$65,000 00	.....	20 years	5%
1199	Feb. 6th, 1930	A By-law to provide for borrowing \$16,954.00 upon debentures to pay for the construction of the storm sewers as therein set forth	\$16,954 00	\$5,858 42	\$11,095 58	10 years	5%
1200	Feb. 6th, 1930	A By-law to provide for borrowing \$24,550.00 upon debentures to pay for the construction of the concrete walks as therein set forth.....	\$24,550 00	\$3,038 50	\$21,511 50	10 years	5%
1201	Feb. 6th, 1930	A By-law to provide for borrowing \$4,044.00 upon debentures to pay for the construction of the waterworks extensions as therein set forth.....	\$4,044 00	\$277 50	\$3,766 50	10 years	5%
1202	Feb. 6th, 1930	A By-law to provide for borrowing \$56,536.00 upon debentures to pay for the construction of the watermain extensions as therein set forth.....	\$56,536 00	\$18,373 24	\$38,162 76	20 years	5%
1203	Feb. 6th, 1930	A By-law to provide for borrowing \$99,253.00 upon debentures to pay for the construction of the bitulithic pavements as therein set forth.....	\$99,253 00	\$26,945 51	\$72,307 49	20 years	5%
1204	Feb. 6th, 1930	A By-law to provide for borrowing \$33,405.00 upon debentures to pay for the construction of the sanitary sewers as therein set forth.....	\$33,405 00	\$5,726 08	\$27,678 92	20 years	5%

BILL.

An Act respecting the Town of Sudbury.

1st Reading

2nd Reading

3rd Reading

MR. ROBB

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Town of Sudbury.

MR. ROBB

No. 45.

1930.

BILL

An Act respecting the Town of Sudbury.

Preamble.

WHEREAS the municipal corporation of the town of Sudbury has by its petition represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued or to be issued thereunder, should be validated and confirmed; and whereas the said corporation has by its petition prayed that an Act may be passed for the above purpose; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

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Confirmation of by-laws and debentures.

2. The by-laws specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

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BILL.

An Act respecting the Town of Sudbury.

1st Reading

February 28th, 1930

2nd Reading

February 28th, 1930

3rd Reading

March 12th, 1930

MR. ROBB

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Township of York.

MR. MACAULAY.

(PRIVATE BILL)

No. 46.

1930.

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of York Act, 1930.*

Power to remove tracks, etc., on Lambton Line—liability for rate not affected.

2. The council of the corporation of the township of York may take up, remove and dispose of the tracks, ties, poles, wires, and other equipment of the electric railway on Dundas Street known as the Lambton line without affecting the liability for payment of the special rates imposed under by-law number 8665 of the township of York and without affecting the franchise owned by the said corporation of the township of York for the operation of the said electric railway which franchise rights shall be and remain vested in the corporation of the township of York.

Power to fix rate on incomes.

3. Notwithstanding the provisions of *The Municipal Act* or any other Act the council of the corporation of the township of York may by by-law provide that the rate to be levied on all income assessments in each year until such by-law shall be repealed shall be such rate as may be fixed by by-law in each year which rate shall not be less than two and one-half cents in the dollar or more than three cents in the dollar.

1928, c. 96, s. 3, amended.

4. Section 3 of an Act passed in 1928 and chaptered 96 intituled *An Act respecting the Township of York* is amended by adding thereto the following subsection:

Case of single vacancy.

(8a) Where a single vacancy only, occurs in the office of trustee in any public school section to which this Act applies after the 1st day of October in any year

it shall not be necessary that the vacancy be filled until the holding of the next annual municipal election unless the council of the township of York otherwise directs.

Fixed
assessment
of township
for county
purposes.

Rev. Stat.,
c. 238.

5. Notwithstanding the provisions of *The Assessment Act* or of any other Act the equalized assessment of the corporation of the township of York in the county of York for the levying of county rates for the year 1930 and each year thereafter so long as the township of York remains a part of the county of York for municipal purposes is hereby fixed at the sum of \$22,396,688 as compared with a total equalized assessment of the county of York of \$106,545,431 and the corporation of the township of York's liability for the payment of rates to the county of York for the year 1930 and each year thereafter so long as the said township of York remains a part of the said county for municipal purposes shall be the proportion of the whole amount levied for county purposes in each such year which \$22,396,688 bears to \$106,545,431.

Agree-
ment with
Tretheway,
et al, re
assessment
of cost of
subway.

6.—(1) The agreement made between the corporation of the township of York, the corporation of the township of North York, F. L. Tretheway, *et al*, Ferranti Electric Limited, and the Dominion Bridge Company, Limited, dated the 16th day of December, 1929, and set out in schedule "A" hereto is hereby confirmed and declared to be legal, valid and binding upon all the parties to the said agreement.

Exercise of
powers under
agreement.

(2) The council of the corporation of the township of York and the council of the corporation of the township of North York are authorized to exercise the rights, powers and privileges respectively conferred upon them under the provisions of the said agreement.

Collection
of special
rates.

(3) The council of the township of York and the council of the township of North York shall collect the special rates imposed pursuant to the said agreement upon lands in the township of York and in the township of North York respectively at the same time and in the same manner as other rates, and the provisions of *The Assessment Act* as to the collection and recovery of taxes and the proceedings which may be taken in default of payment thereof shall apply to the special assessments made for the purpose of paying for the cost of the subway referred to in the said agreement and to the special rates imposed for the payment of said special assessment.

Apportion-
ment of
school
moneys
derived from
sale of clergy
reserves.

7.—(1) The fund referred to in section 10 of chapter 91, 62 Victoria (1899) together with accumulated interest thereon now in the hands of the treasurer of the corporation of the

township of York shall be divided among the following municipalities in the proportions set opposite their respective names, namely:

The township of York.....42.567 per cent.

The township of North York.....22.919 per cent.

The township of East York.....22.083 per cent.

The village of Forest Hill..... 8.278 per cent.

The village of Swansea..... 4.153 per cent.

Application
of moneys
apportioned.

(2) The said fund when so divided shall be applied by the council of each of the said municipalities in reduction of the amount to be levied for the support of public schools in the said municipalities, provided however, that in such of the said municipalities as are divided into public school sections the amount may be apportioned among the said sections by the council in such proportions and such amounts as it may determine.

1929, c. 128,
amended.

8.—(1) Section 7 of *The Township of York Act, 1929*, is amended by striking out the words “special rate in the dollar on all the rateable real property in such district or section” where they appear in the fourteenth and fifteenth lines of subsection 2 of the said section and by inserting in lieu thereof the words “special rate per acre on all the lands in such districts or sections,” and by adding the following as subsection 4 to the said section 7:

Power
of Court of
Revision.

(4) The court of revision for the hearing of complaints against the special assessment to meet the portion of the cost of the work proposed to be assessed and levied by a special rate per acre on all the lands in any district or section shall have jurisdiction and power to review the proposed special assessment and to reduce, cancel or otherwise correct the same where any of the lands in any such district or section are wholly or in part unfit for building purposes or where for any other reason such proposed special assessment is deemed inequitable or unjust. The amount of any such reduction or cancellation shall not be charged against the lands to be specially assessed but shall be paid by the corporation.

Subsection 1
retroactive.

(2) Subsection 1 of this section shall be deemed to have been in force on and from the 28th day of March, 1929.

By-law
No. 10483,
confirmed.

(3) By-law number 10483 of the municipal corporation of the township of York passed on the 10th day of February, 1930, to authorize the construction of a subway across the right-of-way and under the tracks of the Canadian Pacific Railway Company and the Canadian National Railway Company at Ray Avenue is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the lands liable for any rate or assessment to be levied and assessed under the provisions of the said by-law.

1926, c. 108,
s. 5, subs. 1,
amended.

9. Subsection 1 of section 5 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out all the words after the word "without" in the fifth line of the said subsection and inserting in lieu thereof the words:

"the assent of the municipal electors of the said township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act*."

1926, c. 108,
s. 3,
amended.

10. Section 3 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out the figures "\$3,000" where they appear in the seventh line of the said section and inserting in lieu thereof the figures "\$5,000."

Tax sales
and deeds,
confirmed.

11.—(1) All sales of land within the township of York made prior to the 31st day of December, 1928, which purport to have been made by the corporation of the said township or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said township of York, purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed to the purchaser thereof or his assigns or to the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein except taxes accrued or accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

1922, c. 139,
s. 2 (1926,
c. 108, s. 2),
amended.

12. Section 2 of *An Act respecting the Township of York* passed in 1922 and chaptered 139, as amended by section 2 of

An Act respecting the Township of York passed in 1926 and chaptered 108, is further amended by adding thereto the following subsection:

Board
of trustees
in combined
areas.

- (7) Where any defined sections or areas are combined into one section or area the council may by by-law provide that the board of trustees in such combined section or area shall consist of five members.

Power to
pass by-laws,

13.—(1) The council of the township of York may pass by-laws for any of the following purposes, namely:

Establish-
ing fire
department.

- (a) For the establishing of a fire department in the township of York.

Firemen.

- (b) For appointing, insuring and paying fire chiefs, fire wardens, fire engineers, firemen and others employed in connection with the fire halls.

Hook
and ladder
companies.

- (c) For promoting, establishing and regulating fire, hook and ladder and property saving companies.

To repeal
By-law
No. 7249.

- (d) To repeal by-law number 7249 as amended providing for the election of a board of trustees for each of the fire districts or areas of the municipality and to provide that upon the coming into force of such repealing by-law the boards of trustees in each of the fire districts or areas shall be dissolved and cease to exist and the fire halls, apparatus and equipment in each of the said areas shall thereafter be administered by the council of the township of York for the benefit of the municipality at large.

Purchase of
lands and
apparatus
for fire halls.
Issue of
debentures.

- (e) For purchasing or otherwise acquiring land for and erecting thereon fire halls and for purchasing and installing fire engines, hydrants, apparatus, appliances and equipment for fire protection and for the issue of debentures therefor payable in equal instalments of principal and interest.

Term of
debentures.

- (2) Where the amount of the debentures is for the purpose of paying for the cost of the acquisition of land or the erection of fire halls the debentures shall be made payable within a period of not more than twenty years from the time when the debentures are issued and where the amount is for any other purpose mentioned in subsection 1 the period shall be not more than ten years. It shall not be necessary to obtain the assent of the electors to any debenture by-law where the amount to be raised does not exceed \$25,000 if the by-law is passed by the vote of two-thirds of all the members of the council.

Assent
of electors
required.

(3) No by-law shall be passed under the authority conferred by clauses (a) and (d) of subsection 1 hereof until the council shall have first submitted to the electors of the township the following question: "Are you in favour of the establishing of a fire department in the township of York?" and unless the majority of the electors voting shall have voted in the affirmative on the said question.

By-law
No. 10022,
confirmed.

14. By-law number 10022 of the municipal corporation of the township of York passed on the 25th day of February, 1929, to provide for the borrowing of \$42,984.60 by the issue of debentures to pay for certain street widenings and street extensions and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10029,
confirmed.

15. By-law number 10029 of the municipal corporation of the township of York passed on the 11th day of March, 1929, to provide for the borrowing of \$41,419.32 by the issue of debentures to pay for the construction of watermains in Waterworks Section A and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10046,
confirmed.

16. By-law number 10046 of the municipal corporation of the township of York passed on the 19th day of March, 1929, to provide for the borrowing of \$5,765.07 by the issue of debentures to pay for the cost of construction of service watermains in Waterworks Section B and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10462,
confirmed.

17. By-law number 10462 of the municipal corporation of the township of York passed on the 4th day of February, 1930, to provide for the borrowing of \$54,000 by the issue of debentures to pay for the township's portion of the cost of the Dundas Street high level bridge and approaches thereto and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10225,
confirmed.

18. By-law number 10225 of the municipal corporation of the township of York passed on the 8th day of July, 1929, as amended by by-law number 10482 passed on the 6th day of February, 1930, to authorize the construction of a service sewer in Holland Park Avenue from Glenholme Avenue westerly to Lauder Avenue an approximate distance of 350 feet as a local in St. Clair Sewerage Area No. 2 is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of
Act.

19. The provisions of this Act other than section 11 shall come into force on the day upon which it receives the Royal Assent. Section 11 shall come into force on July 1st, 1930.

SCHEDULE "A"

Memorandum of Agreement made this 16th day of December, 1929.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF YORK, hereinafter
called "York,"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
hereinafter called "North York,"

of the second part;

—and—

CHARLOTTE HELEN TRETHEWAY, of the City of Toronto, in
the County of York, Widow; FRANK LINC TRETHEWAY,
of the Township of York, in the County of York; WILLIAM
BERTRAM TRETHEWAY, of Hayward's Heath, Surrey,
England, and RUTH OGLE SECORD, of the City of Toronto,
in the County of York, Married Woman, the Executors and
Trustees of the Estate of William Griffith Tretheway, late of
the City of Toronto, in the County of York, deceased, and
THE DOMINION BRIDGE COMPANY, LIMITED and FERRANTI
ELECTRIC LIMITED, hereinafter called "the Parties,"

of the third part.

Whereas the Council of the Corporation of the Township of York has
by By-law No. 10042 passed by a vote of two-thirds of all the Members on
the 18th day of March, 1929, determined to proceed with the following
work under the provisions of Section 8 of *The Local Improvement Act, 1927*,
as amended and as authorized by *The Township of York Act, 1929*, being
Section 7 of Chapter 128, Statutes of Ontario, 19 Geo. V, that is to say:

"The construction of a subway with the necessary retaining walls
structures and approaches thereto as are necessary to render the said
subway complete across the right-of-way and under the tracks of the
Canadian Pacific and Canadian National Railways opposite Ray
Avenue in the Township of York."

And whereas the estimated cost of the said work is \$185,000, which
amount is to be raised by the issue of debentures issued on the instalment
plan repayable in thirty years;

And whereas twenty-five per cent. of the cost of the work is to be paid
by the Corporation at large of the Township of York while the remainder
of the cost of the work is to be raised by assessing one per cent. of the cost
against the abutting property and seventy-four per cent. of the cost of the
work against non-abutting property benefiting thereby;

And whereas part of the non-abutting property benefiting by the said
work consists of lands situate in the adjoining municipality of the Town-
ship of North York which said lands containing 88.8 acres more or less are
described in Schedule I attached thereto which said Schedule I forms part
of this agreement;

And whereas the parties of the Third Part are the owners of the said
lands described in Schedule I hereto and have consented to the assessment
of thirty per cent. of the cost of the said work against the said lands
described in Schedule I hereto as attested by their signatures hereto.

And whereas the Township of North York has further agreed to the
assessment of the said lands described in Schedule I with thirty per cent.
of the cost of the said work upon the terms and conditions herein contained;

Now therefore this agreement witnesseth as follows:

1. That upon the completion of the construction of the said work by York and the actual cost ascertained a special assessment roll of the land within York benefited by the said work and of the land described in Schedule I hereto in North York benefited by the said work shall be duly made and certified by the proper officers of York.

2. That the Court of Revision of the Township of York shall hear all appeals against the special rate imposed to pay for the cost of work notwithstanding that part of the land assessed is situated in the Township of North York.

3. That York will pass a by-law providing for the issue of debentures to pay for the whole cost of the work chargeable against the land benefited thereby and providing for the levy and collection in each municipality of the rates necessary to meet the debentures and interest thereon as they respectively fall due, which said by-law shall provide that thirty per cent. of the amount of such debentures shall be charged against that district in the Township of North York described in Schedule I attached hereto and shall be assessed and levied by a special rate on all the rateable real property in the amounts and the proportions which may be certified as correct by the Clerk of the Township of York after the holding of the Court of Revision in respect of such work and the settlement of appeals, if any, but no portion of the cost of such work shall be paid by North York at large.

4. The Township of North York covenants with York that it will in each and every year as may be designated by by-law of York collect the special rate which may be charged against that district in the Township of North York described in Schedule I hereto and will pay the full amount of such rates to York forthwith after the 14th day of December in each year during which rates are required to be collected pursuant to the said by-law and North York further covenants that it will pay the full amount in each year for which the said lands described in Schedule I hereto may be liable in respect of the cost of the said work as the same shall fall due in each year whether or not the rates imposed therefor have been collected from the persons liable to pay them.

5. York hereby covenants and agrees with North York that it will from time to time upon the request and at the expense of North York enter into an agreement or agreements from time to time granting permission to North York to connect the sewers of North York draining sanitary sewage only from the drainage area in which the lands described in Schedule II attached hereto are situate or any part of such area as an outlet for the said sanitary sewage which said agreements shall provide that North York shall pay to York annually for such outlet privilege over a period of ten years commencing at the date thereof a sum computed at the rate of thirty cents per foot frontage and shall also pay to York annually for maintenance so long as such sewers remain connected with the sewers of York, an additional sum computed at the rate of sixteen cents per foot frontage. The frontage upon which the outlet and maintenance charges are to be based as above shall be the land on each side of the sewer or sewers in the said district described in Schedule II hereto or part thereof which are or may be connected either directly or indirectly with the sewers of York under the provisions of any such agreement. Any such agreement shall further contain the usual covenants, provisoes and agreements which are contained in similar agreements entered into between York and the City of Toronto providing for sewer connections between such municipalities. Sanitary sewage for the purpose of this agreement shall not include any rain or storm water.

6. Any dispute arising out of or in connection with this agreement shall be referred to the Ontario Railway and Municipal Board whose decision shall be final.

7. The parties hereto of the Third Part, the owners of the lands described in Schedule I hereby consent to the assessment of thirty per cent. of the cost of the said work against the said lands.

8. This agreement shall not come into force or effect unless or until it shall have been validated by the Legislature of the Province of Ontario at the next Session thereof.

9. York shall submit this agreement for validation at the next Session of the Legislature of the Province of Ontario at its own expense and North York agrees to give its approval and consent to such validation. The special legislation applied for shall be in a form satisfactory to North York and in addition to validating this agreement shall authorize North York to collect the special rates imposed on the lands described in Schedule I in the same manner as other rates and taxes.

10. This agreement shall be binding upon and enure to the benefit of the parties hereto, their successors and assigns.

In witness whereof this agreement has been executed the day and year first above written.

SIGNED, SEALED AND DELIVERED:

in the presence of

Witness as to the signatures of the
Executors of W. G. Tretheway
Estate:

"S. W. BLACK."

"E. CASBOURNE."

"ERNEST G. WESTBURY," *Reeve*,
[SEAL]

"W. A. CLARKE," *Clerk*.

"C. H. TRETHEWAY."

"F. L. TRETHEWAY."

"RUTH O. SECORD."

"W. B. TRETHEWAY," by his
Attorney, F. L. Tretheway.

FERRANTI ELECTRIC COMPANY,
[SEAL]
"GEO. C. ROYCE," *President*.

"F. W. ROWNTREE," *Secretary*.

DOMINION BRIDGE COMPANY, LIMITED,
[SEAL]
"G. H. DUGGAN," *President*.

"F. W. EVENS," *Secretary*.

THE TOWNSHIP OF NORTH YORK,
[SEAL]
"JAS. MUIRHEAD," *Reeve*.

"H. D. GOODE," *Clerk*.

Schedule I.

Lands in the Township of North York against which it is proposed to assess a portion of the cost of the Ray Avenue Subway. Part of Township Lots 3 and 4, Concession 4, west of Yonge Street, owned by Ferranti Electric Company Limited, Dominion Bridge Company Limited and Tretheway Estate.

All and singular those certain parcels or tracts of lands and premises situate lying and being in the Township of North York, County of York and Province of Ontario, and being composed of:

FERRANTI ELECTRIC COMPANY LIMITED

Firstly: Part of Township Lot Number Three in the Fourth Concession, west of Yonge Street in the Township of North York, containing

five and seventy-eight one-hundredths acres (5.78,100 acres) and which said parcel as shown tinted in pink on the accompanying plan, may be more particularly described as follows: Commencing where an iron bar has been planted to mark the westerly angle of Block B, Registered Plan 2562, in the Township of York, being a point in the southerly limit of said Township Lot Three, Concession Four, west of Yonge Street where it is intersected by the northerly limit of the right-of-way of the Canadian Pacific Railway; thence bearing north seventy-two degrees sixteen minutes (72° 16') east along the northerly limit of said Block B. being along the southerly limit of said Lot Three, six hundred and five feet three inches (605' 3") to an angle in the same; thence bearing north seventy-two degrees forty-five minutes (72° 45') east, continuing along said northerly limit of Block B. being along the southerly limit of said Township Lot Three, four hundred and eleven feet ten inches (411' 10") to a stake marking the northerly angle of the said Block; thence bearing north fifty-five degrees thirty-nine minutes (55° 39') west, six hundred and twenty-eight feet three inches (628' 3"); thence bearing south thirty-four degrees twenty-one minutes (34° 21') west, eight hundred feet (800') to the point of commencement.

DOMINION BRIDGE COMPANY, LIMITED

Secondly: Parts of Township Lots No. 3 and No. 4 in the Fourth Concession, west of Yonge Street in said Township containing 29.073 acres and which said parcel, as shown tinted in purple on the accompanying print, may be more particularly described as follows: Commencing where a stake has been planted in the westerly limit of said Township Lot No. 4, being the easterly limit of Jane Street, distant two hundred and six feet two and one-half inches (206' 2½") measured northerly along said limit of Jane Street from a stake planted in the existing limit between Township Lots No. 3 and No. 4; thence bearing south nine degrees forty-four minutes (9° 44') east along said easterly limit of Jane Street four hundred and fifty feet (450') to a stake planted in the existing northeasterly limit of the Canadian Pacific Railway right-of-way; thence bearing south fifty-five degrees thirty-nine minutes (55° 39') east along said limit of Canadian Pacific Railway right-of-way six hundred and forty-nine feet seven inches (649' 7") to a round iron bar planted; thence bearing south thirty-four degrees twenty-one minutes (34° 21') west continuing along said limit of right-of-way ten feet (10') to a stake planted; thence bearing south fifty-five degrees twenty-nine minutes (55° 29') east continuing along said limit of Railway right-of-way six hundred and ninety-eight feet eleven inches (698' 11") to a stake planted therein, distant thirty feet (30') measured northwesterly thereon from the northwesterly angle of Block B., Registered Plan No. 2562, York; thence bearing north thirty-four degrees twenty-one minutes (34° 21') east eight hundred feet (800') to a stake planted in the northwesterly production of the westerly limit of Industry Street, Plan No. 2562, York, distant six hundred and fifty-eight feet three inches (658' 3") measured northwesterly thereon from the northeasterly angle of Block B., Registered Plan No. 2562, York; thence bearing north fifty-five degrees thirty-nine minutes (55° 39') west continuing along said northwesterly production of said westerly limit of Industry Street sixteen hundred and sixty-one feet seven inches (1,661' 7") to a stake planted; thence bearing south thirty-four degrees twenty-one minutes (34° 21') west at right angles to said last mentioned limit four hundred and sixty-four feet four and three-quarters inches (464' 4¾") to the point of commencement.

TRETHERWAY ESTATE

Thirdly: Parts of Township Lots 3 and 4, Concession 4, west of Yonge Street in the said Township of North York containing fifty-three and ninety-five one-hundredths acres (53.95/100 acres) and which said parcel as shown tinted in green upon the accompanying plan may be more particularly described as follows: Commencing at a point in the easterly limit of Jane Street being the point of intersection with the northeasterly limit of the right-of-way of the Canadian Pacific Railway Company; thence southeasterly along the northeasterly limit of said right-of-way, to the point of intersection with the northerly limit of Township Lot 2, Concession 4,

west of Yonge, being the northerly limit of the Township of York; thence easterly along the northerly limit of said Township Lot 2 to the point of intersection with the southwesterly limit of Holmsted Drive; thence northwesterly along the several courses of the southwesterly limit of Holmsted Drive, to the point of intersection with the easterly limit of Jane Street; thence southerly along the easterly limit of Jane Street to the point of commencement, excepting and deleting therefrom the lands described in parts one and two hereinbefore described as well as Industry Street and the street thirty feet (30') in width separating the said parcels 1 and 2 which said streets are shown tinted in brown upon the accompanying plan.

Schedule II.

Referred to in and forming part of the agreement made between the Township of York, the Township of North York and Charlotte Helen Tretheway, *et al*, dated the 16th day of December, 1929, and comprising the area within the Township of North York from which provision is made for the draining of sanitary sewage.

All and singular that certain parcel or tract of land and premises situate lying and being in the Township of North York, in the County of York and Province of Ontario and being composed of parts of Township Lots 3 and 4 in the Fourth Concession, west of Yonge Street, which said parcel as shown outlined in pink upon the attached print contains by admeasurement two hundred and fifteen and seventy-seven one-hundredths acres (215 77/100 acres) more or less and may be more particularly described as follows: Commencing at the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of the right-of-way of the Canadian Pacific Railway Company; thence northwesterly along the said northeast limit of the right-of-way of the Canadian Pacific Railway Company to a point in the east limit of Jane Street; thence northerly along the said east limit of Jane Street to the northwest angle of the said Township Lot 4; thence easterly along the north limit of the said Township Lot 4, a distance of three thousand six hundred feet (3,600'); thence southerly in a straight line to the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of Tretheway Drive as dedicated by By-law No. 9964 of the Township of York; thence westerly along the south limit of the said Township Lot 3 to the point of commencement.

BILL.

An Act respecting the Township of York.

1st Reading

2nd Reading

3rd Reading

MR. MACAULAY.

(PRIVATE BILL).

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Township of York.

MR. MACAULAY.

(PRIVATE BILL)

No. 46.

1930.

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of York Act, 1930.*

Power to remove tracks, etc., on Lambton Line—liability for rate not affected.

2. The council of the corporation of the township of York may take up, remove and dispose of the tracks, ties, poles, wires, and other equipment of the electric railway on Dundas Street known as the Lambton line without affecting the liability for payment of the special rates imposed under by-law number 8665 of the township of York and without affecting the franchise owned by the said corporation of the township of York for the operation of the said electric railway which franchise rights shall be and remain vested in the corporation of the township of York.

Agreement with Tretheway, *et al*, re assessment of cost of subway.

3.—(1) The agreement made between the corporation of the township of York, the corporation of the township of North York, F. L. Tretheway, *et al*, Ferranti Electric Limited, and the Dominion Bridge Company, Limited, dated the 16th day of December, 1929, and set out in schedule "A" hereto is hereby confirmed and declared to be legal, valid and binding upon all the parties to the said agreement.

Exercise of powers under agreement.

(2) The council of the corporation of the township of York and the council of the corporation of the township of North York are authorized to exercise the rights, powers and privileges respectively conferred upon them under the provisions of the said agreement.

Collection
of special
rates.

(3) The council of the township of York and the council of the township of North York shall collect the special rates imposed pursuant to the said agreement upon lands in the township of York and in the township of North York respectively at the same time and in the same manner as other rates, and the provisions of *The Assessment Act* as to the collection and recovery of taxes and the proceedings which may be taken in default of payment thereof shall apply to the special assessments made for the purpose of paying for the cost of the subway referred to in the said agreement and to the special rates imposed for the payment of said special assessment.

Apportion-
ment of
school
moneys
derived from
sale of clergy
reserves.

4.—(1) The fund referred to in section 10 of chapter 91, 62 Victoria (1899) together with accumulated interest thereon now in the hands of the treasurer of the corporation of the township of York shall be divided among the following municipalities in the proportions set opposite their respective names, namely:

The township of York.....42.567 per cent.

The township of North York.....22.919 per cent.

The township of East York.....22.083 per cent.

The village of Forest Hill..... 8.278 per cent.

The village of Swansea..... 4.153 per cent.

Application
of moneys
apportioned.

(2) The said fund when so divided shall be applied by the council of each of the said municipalities in reduction of the amount to be levied for the support of public schools in the said municipalities, provided however, that in such of the said municipalities as are divided into public school sections the amount may be apportioned among the said sections by the council in such proportions and such amounts as it may determine.

1929, c. 128,
amended.

5.—(1) Section 7 of *The Township of York Act, 1929*, is amended by striking out the words "special rate in the dollar on all the rateable real property in such district or section" where they appear in the fourteenth and fifteenth lines of subsection 2 of the said section and by inserting in lieu thereof the words "special rate per acre on all the lands in such districts or sections," and by adding the following as subsection 4 to the said section 7:

Power
of Court of
Revision.

(4) The court of revision for the hearing of complaints against the special assessment to meet the portion

of the cost of the work proposed to be assessed and levied by a special rate per acre on all the lands in any district or section shall have jurisdiction and power to review the proposed special assessment and to reduce, cancel or otherwise correct the same where any of the lands in any such district or section are wholly or in part unfit for building purposes or where for any other reason such proposed special assessment is deemed inequitable or unjust. The amount of any such reduction or cancellation shall not be charged against the lands to be specially assessed but shall be paid by the corporation.

Subsection 1
retroactive.

(2) Subsection 1 of this section shall be deemed to have been in force on and from the 28th day of March, 1929.

By-law
No. 10483,
confirmed.

(3) By-law number 10483 of the municipal corporation of the township of York passed on the 10th day of February, 1930, to authorize the construction of a subway across the right-of-way and under the tracks of the Canadian Pacific Railway Company and the Canadian National Railway Company at Ray Avenue is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the lands liable for any rate or assessment to be levied and assessed under the provisions of the said by-law.

1926, c. 108,
s. 5, subs. 1,
amended.

6. Subsection 1 of section 5 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out all the words after the word "without" in the fifth line of the said subsection and inserting in lieu thereof the words:

"the assent of the municipal electors of the said township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act*."

1926, c. 108,
s. 3,
amended.

7. Section 3 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out the figures "\$3,000" where they appear in the seventh line of the said section and inserting in lieu thereof the figures "\$5,000."

Tax sales
and deeds,
confirmed.

8.—(1) All sales of land within the township of York made prior to the 31st day of December, 1928, which purport to have been made by the corporation of the said township or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said

township of York, purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed to the purchaser thereof or his assigns or to the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein except taxes accrued or accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation.

1922, c. 139,
s. 2 (1926,
c. 108, s. 2),
amended.

9. Section 2 of *An Act respecting the Township of York* passed in 1922 and chaptered 139, as amended by section 2 of *An Act respecting the Township of York* passed in 1926 and chaptered 108, is further amended by adding thereto the following subsection:

Board
of trustees
in combined
areas.

(7) Where any defined sections or areas are combined into one section or area the council may by by-law provide that the board of trustees in such combined section or area shall consist of five members.

Power to
pass by-laws,

10.—(1) The council of the township of York may pass by-laws for any of the following purposes, namely:

Establish-
ing fire
department.

(a) For the establishing of a fire department in the township of York.

Firemen.

(b) For appointing, insuring and paying fire chiefs, fire wardens, fire engineers, firemen and others employed in connection with the fire halls.

Hook
and ladder
companies.

(c) For promoting, establishing and regulating fire, hook and ladder and property saving companies.

To repeal
By-law
No. 7249.

(d) To repeal by-law number 7249 as amended providing for the election of a board of trustees for each of the fire districts or areas of the municipality and to provide that upon the coming into force of such repealing by-law the boards of trustees in each of the fire districts or areas shall be dissolved and cease to exist and the fire halls, apparatus and equipment in each of the said areas shall thereafter be administered by the council of the township of York for the benefit of the municipality at large.

Purchase of
lands and
apparatus
for fire halls.
Issue of
debentures.

- (e) For purchasing or otherwise acquiring land for and erecting thereon fire halls and for purchasing and installing fire engines, hydrants, apparatus, appliances and equipment for fire protection and for the issue of debentures therefor payable in equal instalments of principal and interest.

Term of
debentures.

- (2) Where the amount of the debentures is for the purpose of paying for the cost of the acquisition of land or the erection of fire halls the debentures shall be made payable within a period of not more than twenty years from the time when the debentures are issued and where the amount is for any other purpose mentioned in subsection 1 the period shall be not more than ten years. It shall not be necessary to obtain the assent of the electors to any debenture by-law where the amount to be raised does not exceed \$25,000 if the by-law is passed by the vote of two-thirds of all the members of the council.

Assent
of electors
required.

- (3) No by-law shall be passed under the authority conferred by clauses (a) and (d) of subsection 1 hereof until the council shall have first submitted to the electors of the township the following question: "Are you in favour of the establishing of a fire department in the township of York?" and unless the majority of the electors voting shall have voted in the affirmative on the said question.

By-law
No. 10022,
confirmed.

- 11.** By-law number 10022 of the municipal corporation of the township of York passed on the 25th day of February, 1929, to provide for the borrowing of \$42,984.60 by the issue of debentures to pay for certain street widenings and street extensions and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10029,
confirmed.

- 12.** By-law number 10029 of the municipal corporation of the township of York passed on the 11th day of March, 1929, to provide for the borrowing of \$41,419.32 by the issue of debentures to pay for the construction of watermains in Waterworks Section A and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10046,
confirmed.

- 13.** By-law number 10046 of the municipal corporation of the township of York passed on the 19th day of March, 1929, to provide for the borrowing of \$5,765.07 by the issue of debentures to pay for the cost of construction of service watermains in Waterworks Section B and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10462,
confirmed.

14. By-law number 10462 of the municipal corporation of the township of York passed on the 4th day of February, 1930, to provide for the borrowing of \$54,000 by the issue of debentures to pay for the township's portion of the cost of the Dundas Street high level bridge and approaches thereto and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10225,
confirmed.

15. By-law number 10225 of the municipal corporation of the township of York passed on the 8th day of July, 1929, as amended by by-law number 10482 passed on the 6th day of February, 1930, to authorize the construction of a service sewer in Holland Park Avenue from Glenholme Avenue westerly to Lauder Avenue an approximate distance of 350 feet as a local in St. Clair Sewerage Area No. 2 is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of
Act.

16. The provisions of this Act other than section 11 shall come into force on the day upon which it receives the Royal Assent. Section 11 shall come into force on July 1st, 1930.

SCHEDULE "A"

Memorandum of Agreement made this 16th day of December, 1929.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF YORK, hereinafter called "York,"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK, hereinafter called "North York,"

of the second part;

—and—

CHARLOTTE HELEN TRETHEWAY, of the City of Toronto, in the County of York, Widow; FRANK LINCE TRETHEWAY, of the Township of York, in the County of York; WILLIAM BERTRAM TRETHEWAY, of Hayward's Heath, Surrey, England, and RUTH OGLE SECORD, of the City of Toronto, in the County of York, Married Woman, the Executors and Trustees of the Estate of William Griffith Tretheway, late of the City of Toronto, in the County of York, deceased, and THE DOMINION BRIDGE COMPANY, LIMITED and FERRANTI ELECTRIC LIMITED, hereinafter called "the Parties,"

of the third part.

Whereas the Council of the Corporation of the Township of York has by By-law No. 10042 passed by a vote of two-thirds of all the Members on the 18th day of March, 1929, determined to proceed with the following work under the provisions of Section 8 of *The Local Improvement Act, 1927*, as amended and as authorized by *The Township of York Act, 1929*, being Section 7 of Chapter 128, Statutes of Ontario, 19 Geo. V, that is to say:

"The construction of a subway with the necessary retaining walls structures and approaches thereto as are necessary to render the said subway complete across the right-of-way and under the tracks of the Canadian Pacific and Canadian National Railways opposite Ray Avenue in the Township of York."

And whereas the estimated cost of the said work is \$185,000, which amount is to be raised by the issue of debentures issued on the instalment plan repayable in thirty years;

And whereas twenty-five per cent. of the cost of the work is to be paid by the Corporation at large of the Township of York while the remainder of the cost of the work is to be raised by assessing one per cent. of the cost against the abutting property and seventy-four per cent. of the cost of the work against non-abutting property benefiting thereby;

And whereas part of the non-abutting property benefiting by the said work consists of lands situate in the adjoining municipality of the Township of North York which said lands containing 88.8 acres more or less are described in Schedule I attached thereto which said Schedule I forms part of this agreement;

And whereas the parties of the Third Part are the owners of the said lands described in Schedule I hereto and have consented to the assessment of thirty per cent. of the cost of the said work against the said lands described in Schedule I hereto as attested by their signatures hereto.

And whereas the Township of North York has further agreed to the assessment of the said lands described in Schedule I with thirty per cent. of the cost of the said work upon the terms and conditions herein contained;

Now therefore this agreement witnesseth as follows:

1. That upon the completion of the construction of the said work by York and the actual cost ascertained a special assessment roll of the land within York benefited by the said work and of the land described in Schedule I hereto in North York benefited by the said work shall be duly made and certified by the proper officers of York.

2. That the Court of Revision of the Township of York shall hear all appeals against the special rate imposed to pay for the cost of work notwithstanding that part of the land assessed is situated in the Township of North York.

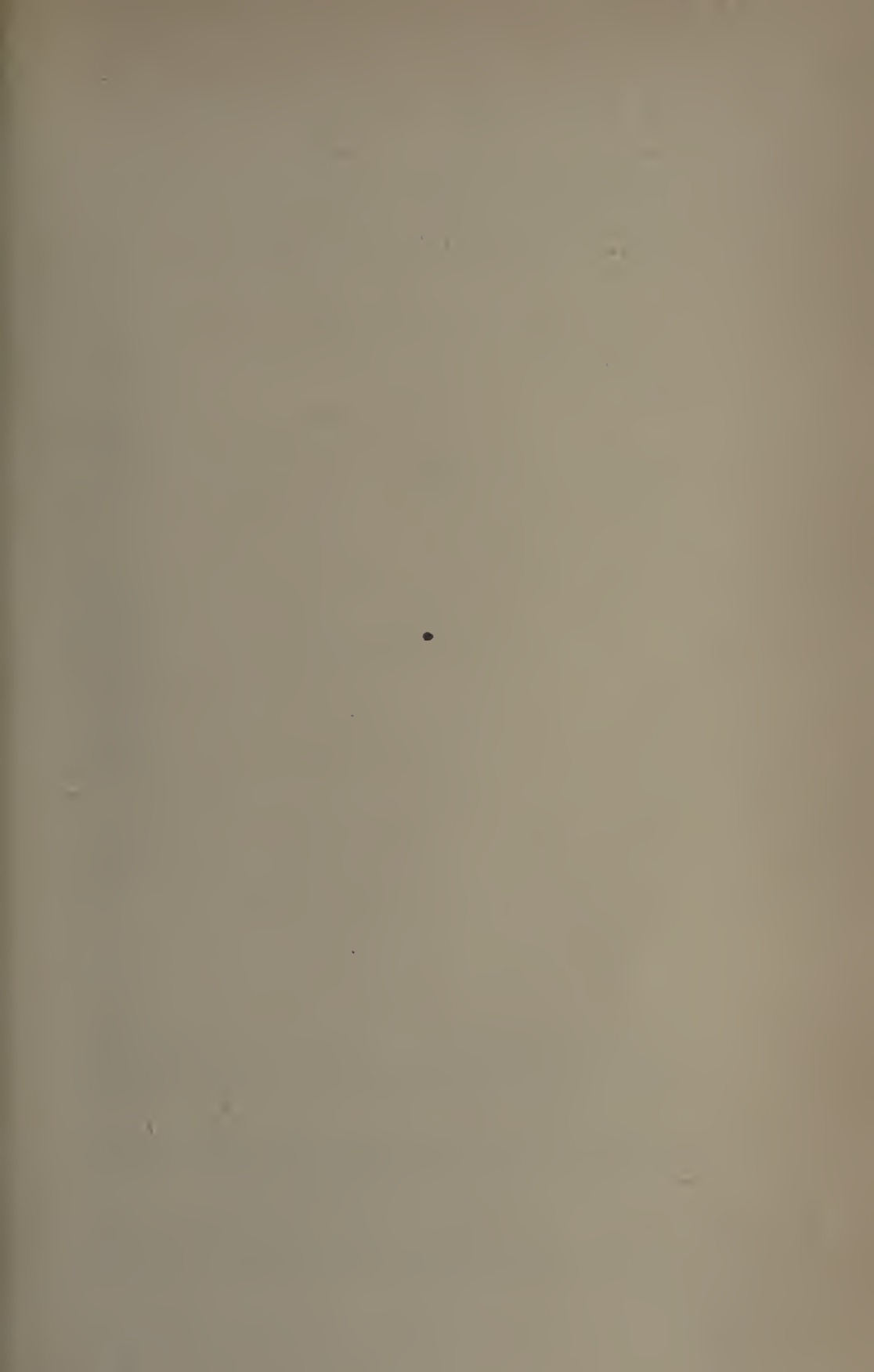
3. That York will pass a by-law providing for the issue of debentures to pay for the whole cost of the work chargeable against the land benefited thereby and providing for the levy and collection in each municipality of the rates necessary to meet the debentures and interest thereon as they respectively fall due, which said by-law shall provide that thirty per cent. of the amount of such debentures shall be charged against that district in the Township of North York described in Schedule I attached hereto and shall be assessed and levied by a special rate on all the rateable real property in the amounts and the proportions which may be certified as correct by the Clerk of the Township of York after the holding of the Court of Revision in respect of such work and the settlement of appeals, if any, but no portion of the cost of such work shall be paid by North York at large.

4. The Township of North York covenants with York that it will in each and every year as may be designated by by-law of York collect the special rate which may be charged against that district in the Township of North York described in Schedule I hereto and will pay the full amount of such rates to York forthwith after the 14th day of December in each year during which rates are required to be collected pursuant to the said by-law and North York further covenants that it will pay the full amount in each year for which the said lands described in Schedule I hereto may be liable in respect of the cost of the said work as the same shall fall due in each year whether or not the rates imposed therefor have been collected from the persons liable to pay them.

5. York hereby covenants and agrees with North York that it will from time to time upon the request and at the expense of North York enter into an agreement or agreements from time to time granting permission to North York to connect the sewers of North York draining sanitary sewage only from the drainage area in which the lands described in Schedule II attached hereto are situate or any part of such area as an outlet for the said sanitary sewage which said agreements shall provide that North York shall pay to York annually for such outlet privilege over a period of ten years commencing at the date thereof a sum computed at the rate of thirty cents per foot frontage and shall also pay to York annually for maintenance so long as such sewers remain connected with the sewers of York, an additional sum computed at the rate of sixteen cents per foot frontage. The frontage upon which the outlet and maintenance charges are to be based as above shall be the land on each side of the sewer or sewers in the said district described in Schedule II hereto or part thereof which are or may be connected either directly or indirectly with the sewers of York under the provisions of any such agreement. Any such agreement shall further contain the usual covenants, provisoes and agreements which are contained in similar agreements entered into between York and the City of Toronto providing for sewer connections between such municipalities. Sanitary sewage for the purpose of this agreement shall not include any rain or storm water.

6. Any dispute arising out of or in connection with this agreement shall be referred to the Ontario Railway and Municipal Board whose decision shall be final.

7. The parties hereto of the Third Part, the owners of the lands described in Schedule I hereby consent to the assessment of thirty per cent. of the cost of the said work against the said lands.



8. This agreement shall not come into force or effect unless or until it shall have been validated by the Legislature of the Province of Ontario at the next Session thereof.

9. York shall submit this agreement for validation at the next Session of the Legislature of the Province of Ontario at its own expense and North York agrees to give its approval and consent to such validation. The special legislation applied for shall be in a form satisfactory to North York and in addition to validating this agreement shall authorize North York to collect the special rates imposed on the lands described in Schedule I in the same manner as other rates and taxes.

10. This agreement shall be binding upon and enure to the benefit of the parties hereto, their successors and assigns.

In witness whereof this agreement has been executed the day and year first above written.

SIGNED, SEALED AND DELIVERED:

in the presence of

Witness as to the signatures of the
Executors of W. G. Tretheway
Estate:

"S. W. BLACK."

"E. CASBOURNE."

"ERNEST G. WESTBURY," *Reeve*.
[SEAL]

"W. A. CLARKE," *Clerk*.

"C. H. TRETHEWAY."

"F. L. TRETHEWAY."

"RUTH O. SECORD."

"W. B. TRETHEWAY," by his
Attorney, F. L. Tretheway.

• FERRANTI ELECTRIC COMPANY,
[SEAL]
"GEO. C. ROYCE," *President*.

"F. W. ROWNTREE," *Secretary*.

DOMINION BRIDGE COMPANY, LIMITED,
[SEAL]
"G. H. DUGGAN," *President*.

"F. W. EVENS," *Secretary*.

THE TOWNSHIP OF NORTH YORK,
[SEAL]
"JAS. MUIRHEAD," *Reeve*.

"H. D. GOODE," *Clerk*.

Schedule I.

Lands in the Township of North York against which it is proposed to assess a portion of the cost of the Ray Avenue Subway. Part of Township Lots 3 and 4, Concession 4, west of Yonge Street, owned by Ferranti Electric Company Limited, Dominion Bridge Company Limited and Tretheway Estate.

All and singular those certain parcels or tracts of lands and premises situate lying and being in the Township of North York, County of York and Province of Ontario, and being composed of:

FERRANTI ELECTRIC COMPANY LIMITED

Firstly: Part of Township Lot Number Three in the Fourth Concession, west of Yonge Street in the Township of North York, containing

five and seventy-eight one-hundredths acres (5.78/100 acres) and which said parcel as shown tinted in pink on the accompanying plan, may be more particularly described as follows: Commencing where an iron bar has been planted to mark the westerly angle of Block B, Registered Plan 2562, in the Township of York, being a point in the southerly limit of said Township Lot Three, Concession Four, west of Yonge Street where it is intersected by the northerly limit of the right-of-way of the Canadian Pacific Railway; thence bearing north seventy-two degrees sixteen minutes (72° 16') east along the northerly limit of said Block B, being along the southerly limit of said Lot Three, six hundred and five feet three inches (605' 3") to an angle in the same; thence bearing north seventy-two degrees forty-five minutes (72° 45') east, continuing along said northerly limit of Block B, being along the southerly limit of said Township Lot Three, four hundred and eleven feet ten inches (411' 10") to a stake marking the northerly angle of the said Block; thence bearing north fifty-five degrees thirty-nine minutes (55° 39') west, six hundred and twenty-eight feet three inches (628' 3"); thence bearing south thirty-four degrees twenty-one minutes (34° 21') west, eight hundred feet (800') to the point of commencement.

DOMINION BRIDGE COMPANY, LIMITED

Secondly: Parts of Township Lots No. 3 and No. 4 in the Fourth Concession, west of Yonge Street in said Township containing 29.073 acres and which said parcel, as shown tinted in purple on the accompanying print, may be more particularly described as follows: Commencing where a stake has been planted in the westerly limit of said Township Lot No. 4, being the easterly limit of Jane Street, distant two hundred and six feet two and one-half inches (206' 2½") measured northerly along said limit of Jane Street from a stake planted in the existing limit between Township Lots No. 3 and No. 4; thence bearing south nine degrees forty-four minutes (9° 44') east along said easterly limit of Jane Street four hundred and fifty feet (450') to a stake planted in the existing northeasterly limit of the Canadian Pacific Railway right-of-way; thence bearing south fifty-five degrees thirty-nine minutes (55° 39') east along said limit of Canadian Pacific Railway right-of-way six hundred and forty-nine feet seven inches (649' 7") to a round iron bar planted; thence bearing south thirty-four degrees twenty-one minutes (34° 21') west continuing along said limit of right-of-way ten feet (10') to a stake planted; thence bearing south fifty-five degrees twenty-nine minutes (55° 29') east continuing along said limit of Railway right-of-way six hundred and ninety-eight feet eleven inches (698' 11") to a stake planted therein, distant thirty feet (30') measured northwesterly thereon from the northwesterly angle of Block B., Registered Plan No. 2562, York; thence bearing north thirty-four degrees twenty-one minutes (34° 21') east eight hundred feet (800') to a stake planted in the northwesterly production of the westerly limit of Industry Street, Plan No. 2562, York, distant six hundred and fifty-eight feet three inches (658' 3") measured northwesterly thereon from the northeasterly angle of Block B., Registered Plan No. 2562, York; thence bearing north fifty-five degrees thirty-nine minutes (55° 39') west continuing along said northwesterly production of said westerly limit of Industry Street sixteen hundred and sixty-one feet seven inches (1,661' 7") to a stake planted; thence bearing south thirty-four degrees twenty-one minutes (34° 21') west at right angles to said last mentioned limit four hundred and sixty-four feet four and three-quarters inches (464' 4¾") to the point of commencement.

TRETHEWAY ESTATE

Thirdly: Parts of Township Lots 3 and 4, Concession 4, west of Yonge Street in the said Township of North York containing fifty-three and ninety-five one-hundredths acres (53.95/100 acres) and which said parcel as shown tinted in green upon the accompanying plan may be more particularly described as follows: Commencing at a point in the easterly limit of Jane Street being the point of intersection with the northeasterly limit of the right-of-way of the Canadian Pacific Railway Company; thence southeasterly along the northeasterly limit of said right-of-way, to the point of intersection with the northerly limit of Township Lot 2, Concession 4,

west of Yonge, being the northerly limit of the Township of York; thence easterly along the northerly limit of said Township Lot 2 to the point of intersection with the southwesterly limit of Holmsted Drive; thence northwesterly along the several courses of the southwesterly limit of Holmsted Drive, to the point of intersection with the easterly limit of Jane Street; thence southerly along the easterly limit of Jane Street to the point of commencement, excepting and deleting therefrom the lands described in parts one and two hereinbefore described as well as Industry Street and the street thirty feet (30') in width separating the said parcels 1 and 2 which said streets are shown tinted in brown upon the accompanying plan.

Schedule II.

Referred to in and forming part of the agreement made between the Township of York, the Township of North York and Charlotte Helen Tretheway, *et al*, dated the 16th day of December, 1929, and comprising the area within the Township of North York from which provision is made for the draining of sanitary sewage.

All and singular that certain parcel or tract of land and premises situate lying and being in the Township of North York, in the County of York and Province of Ontario and being composed of parts of Township Lots 3 and 4 in the Fourth Concession, west of Yonge Street, which said parcel as shown outlined in pink upon the attached print contains by admeasurement two hundred and fifteen and seventy-seven one-hundredths acres (215 77/100 acres) more or less and may be more particularly described as follows: Commencing at the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of the right-of-way of the Canadian Pacific Railway Company; thence northwesterly along the said northeast limit of the right-of-way of the Canadian Pacific Railway Company to a point in the east limit of Jane Street; thence northerly along the said east limit of Jane Street to the northwest angle of the said Township Lot 4; thence easterly along the north limit of the said Township Lot 4, a distance of three thousand six hundred feet (3,600'); thence southerly in a straight line to the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of Tretheway Drive as dedicated by By-law No. 9964 of the Township of York; thence westerly along the south limit of the said Township Lot 3 to the point of commencement.

BILL.

An Act respecting the Township of York.

1st Reading

March 4th, 1930

2nd Reading

3rd Reading

MR. MACAULAY.

*(Reprinted as amended by the Private Bills
Committee.)*

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the Township of York.

MR. MACAULAY.

No. 46.

1930.

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Township of York Act, 1930.*

Power
to remove
tracks, etc.,
on Lambton
Line—
liability for
rate not
affected.

2. The council of the corporation of the township of York may take up, remove and dispose of the tracks, ties, poles, wires, and other equipment of the electric railway on Dundas Street known as the Lambton line without affecting the liability for payment of the special rates imposed under by-law number 8665 of the township of York and without affecting the franchise owned by the said corporation of the township of York for the operation of the said electric railway which franchise rights shall be and remain vested in the corporation of the township of York.

Agree-
ment with
Tretheway,
et al, re
assessment
of cost of
subway.

3.—(1) The agreement made between the corporation of the township of York, the corporation of the township of North York, F. L. Tretheway, *et al*, Ferranti Electric Limited, and the Dominion Bridge Company, Limited, dated the 16th day of December, 1929, and set out in schedule "A" hereto is hereby confirmed and declared to be legal, valid and binding upon all the parties to the said agreement.

Exercise of
powers under
agreement.

(2) The council of the corporation of the township of York and the council of the corporation of the township of North York are authorized to exercise the rights, powers and privileges respectively conferred upon them under the provisions of the said agreement.

(3) The council of the township of York and the council of the township of North York shall collect the special rates imposed pursuant to the said agreement upon lands in the township of York and in the township of North York respectively at the same time and in the same manner as other rates, and the provisions of *The Assessment Act* as to the collection and recovery of taxes and the proceedings which may be taken in default of payment thereof shall apply to the special assessments made for the purpose of paying for the cost of the subway referred to in the said agreement and to the special rates imposed for the payment of said special assessment.

4.—(1) The fund referred to in section 10 of chapter 91, 62 Victoria (1899) together with accumulated interest thereon now in the hands of the treasurer of the corporation of the township of York shall be divided among the following municipalities in the proportions set opposite their respective names, namely:

The township of York.....42.567 per cent.

The township of North York.....22.919 per cent.

The township of East York.22.083 per cent.

The village of Forest Hill. 8.278 per cent.

The village of Swansea. 4.153 per cent.

(2) The said fund when so divided shall be applied by the council of each of the said municipalities in reduction of the amount to be levied for the support of public schools in the said municipalities, provided however, that in such of the said municipalities as are divided into public school sections the amount may be apportioned among the said sections by the council in such proportions and such amounts as it may determine.

5.—(1) Section 7 of *The Township of York Act, 1929*, is amended by striking out the words "special rate in the dollar on all the rateable real property in such district or section" where they appear in the fourteenth and fifteenth lines of subsection 2 of the said section and by inserting in lieu thereof the words "special rate per acre on all the lands in such districts or sections," and by adding the following as subsection 4 to the said section 7:

(4) The court of revision for the hearing of complaints against the special assessment to meet the portion

of the cost of the work proposed to be assessed and levied by a special rate per acre on all the lands in any district or section shall have jurisdiction and power to review the proposed special assessment and to reduce, cancel or otherwise correct the same where any of the lands in any such district or section are wholly or in part unfit for building purposes or where for any other reason such proposed special assessment is deemed inequitable or unjust. The amount of any such reduction or cancellation shall not be charged against the lands to be specially assessed but shall be paid by the corporation.

Subsection 1
retroactive.

(2) Subsection 1 of this section shall be deemed to have been in force on and from the 28th day of March, 1929.

By-law
No. 10483,
confirmed.

(3) By-law number 10483 of the municipal corporation of the township of York passed on the 10th day of February, 1930, to authorize the construction of a subway across the right-of-way and under the tracks of the Canadian Pacific Railway Company and the Canadian National Railway Company at Ray Avenue is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the lands liable for any rate or assessment to be levied and assessed under the provisions of the said by-law.

1926, c. 108,
s. 5, subs. 1,
amended.

6. Subsection 1 of section 5 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out all the words after the word "without" in the fifth line of the said subsection and inserting in lieu thereof the words:

"the assent of the municipal electors of the said township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act*."

1926, c. 108,
s. 3,
amended.

7. Section 3 of *An Act respecting the Township of York* passed in 1926 and chaptered 108 is amended by striking out the figures "\$3,000" where they appear in the seventh line of the said section and inserting in lieu thereof the figures "\$5,000."

Tax sales
and deeds,
confirmed.

8.—(1) All sales of land within the township of York made prior to the 31st day of December, 1928, which purport to have been made by the corporation of the said township or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said

township of York, purporting to convey the said lands so sold to the purchaser thereof or his assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed to the purchaser thereof or his assigns or to the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns and all charges and encumbrances thereon and dower therein except taxes accrued or accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under pending litigation. Pending litigation not affected.

9. Section 2 of *An Act respecting the Township of York* 1922, c. 139, s. 2 (1926, c. 108, s. 2), amended. passed in 1922 and chaptered 139, as amended by section 2 of *An Act respecting the Township of York* passed in 1926 and chaptered 108, is further amended by adding thereto the following subsection:

(7) Where any defined sections or areas are combined into one section or area the council may by by-law provide that the board of trustees in such combined section or area shall consist of five members. Board of trustees in combined areas.

10.—(1) The council of the township of York may pass by-laws for any of the following purposes, namely: Power to pass by-laws,

(a) For the establishing of a fire department in the township of York. Establishing fire department.

(b) For appointing, insuring and paying fire chiefs, fire wardens, fire engineers, firemen and others employed in connection with the fire halls. Firemen.

(c) For promoting, establishing and regulating fire, hook and ladder and property saving companies. Hook and ladder companies.

(d) To repeal by-law number 7249 as amended providing for the election of a board of trustees for each of the fire districts or areas of the municipality and to provide that upon the coming into force of such repealing by-law the boards of trustees in each of the fire districts or areas shall be dissolved and cease to exist and the fire halls, apparatus and equipment in each of the said areas shall thereafter be administered by the council of the township of York for the benefit of the municipality at large. To repeal By-law No. 7249.

Purchase of
lands and
apparatus
for fire halls.
Issue of
debentures.

- (e) For purchasing or otherwise acquiring land for and erecting thereon fire halls and for purchasing and installing fire engines, hydrants, apparatus, appliances and equipment for fire protection and for the issue of debentures therefor payable in equal instalments of principal and interest.

Term of
debentures.

- (2) Where the amount of the debentures is for the purpose of paying for the cost of the acquisition of land or the erection of fire halls the debentures shall be made payable within a period of not more than twenty years from the time when the debentures are issued and where the amount is for any other purpose mentioned in subsection 1 the period shall be not more than ten years. It shall not be necessary to obtain the assent of the electors to any debenture by-law where the amount to be raised does not exceed \$25,000 if the by-law is passed by the vote of two-thirds of all the members of the council.

Assent
of electors
required.

- (3) No by-law shall be passed under the authority conferred by clauses (a) and (d) of subsection 1 hereof until the council shall have first submitted to the electors of the township the following question: "Are you in favour of the establishing of a fire department in the township of York?" and unless the majority of the electors voting shall have voted in the affirmative on the said question.

By-law
No. 10022,
confirmed.

- 11.** By-law number 10022 of the municipal corporation of the township of York passed on the 25th day of February, 1929, to provide for the borrowing of \$42,984.60 by the issue of debentures to pay for certain street widenings and street extensions and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10029,
confirmed.

- 12.** By-law number 10029 of the municipal corporation of the township of York passed on the 11th day of March, 1929, to provide for the borrowing of \$41,419.32 by the issue of debentures to pay for the construction of watermains in Waterworks Section A and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 10046,
confirmed.

- 13.** By-law number 10046 of the municipal corporation of the township of York passed on the 19th day of March, 1929, to provide for the borrowing of \$5,769.07 by the issue of debentures to pay for the cost of construction of service watermains in Waterworks Section B and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

14. By-law number 10462 of the municipal corporation of the township of York passed on the 4th day of February, 1930, ^{By-law No. 10462, confirmed.} to provide for the borrowing of \$54,000 by the issue of debentures to pay for the township's portion of the cost of the Dundas Street high level bridge and approaches thereto and the debentures issued or to be issued thereunder are hereby declared legal, valid and binding upon the said corporation and the ratepayers thereof.

15. By-law number 10225 of the municipal corporation of the township of York passed on the 8th day of July, 1929, ^{By-law No. 10225, confirmed.} as amended by by-law number 10482 passed on the 6th day of February, 1930, to authorize the construction of a service sewer in Holland Park Avenue from Glenholme Avenue westerly to Lauder Avenue an approximate distance of 350 feet as a local in St. Clair Sewerage Area No. 2 is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

16. The provisions of this Act other than section 11 shall ^{Commence-} come into force on the day upon which it receives the Royal ^{ment of} Assent. Section 11 shall come into force on July 1st, 1930.

SCHEDULE "A"

Memorandum of Agreement made this 16th day of December, 1929.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF YORK, hereinafter called "York,"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK, hereinafter called "North York,"

of the second part:

—and—

CHARLOTTE HELEN TRETHEWAY, of the City of Toronto, in the County of York, Widow; FRANK LINCE TRETHEWAY, of the Township of York, in the County of York; WILLIAM BERTRAM TRETHEWAY, of Hayward's Heath, Surrey, England, and RUTH OGLE SECORD, of the City of Toronto, in the County of York, Married Woman, the Executors and Trustees of the Estate of William Griffith Tretheway, late of the City of Toronto, in the County of York, deceased, and THE DOMINION BRIDGE COMPANY, LIMITED and FERRANTI ELECTRIC LIMITED, hereinafter called "the Parties,"

of the third part.

Whereas the Council of the Corporation of the Township of York has by By-law No. 10042 passed by a vote of two-thirds of all the Members on the 18th day of March, 1929, determined to proceed with the following work under the provisions of Section 8 of *The Local Improvement Act, 1927*, as amended and as authorized by *The Township of York Act, 1929*, being Section 7 of Chapter 128, Statutes of Ontario, 19 Geo. V, that is to say:

"The construction of a subway with the necessary retaining walls structures and approaches thereto as are necessary to render the said subway complete across the right-of-way and under the tracks of the Canadian Pacific and Canadian National Railways opposite Ray Avenue in the Township of York."

And whereas the estimated cost of the said work is \$185,000, which amount is to be raised by the issue of debentures issued on the instalment plan repayable in thirty years;

And whereas twenty-five per cent. of the cost of the work is to be paid by the Corporation at large of the Township of York while the remainder of the cost of the work is to be raised by assessing one per cent. of the cost against the abutting property and seventy-four per cent. of the cost of the work against non-abutting property benefiting thereby;

And whereas part of the non-abutting property benefiting by the said work consists of lands situate in the adjoining municipality of the Township of North York which said lands containing 88.8 acres more or less are described in Schedule I attached thereto which said Schedule I forms part of this agreement;

And whereas the parties of the Third Part are the owners of the said lands described in Schedule I hereto and have consented to the assessment of thirty per cent. of the cost of the said work against the said lands described in Schedule I hereto as attested by their signatures hereto.

And whereas the Township of North York has further agreed to the assessment of the said lands described in Schedule I with thirty per cent. of the cost of the said work upon the terms and conditions herein contained;

Now therefore this agreement witnesseth as follows:

1. That upon the completion of the construction of the said work by York and the actual cost ascertained a special assessment roll of the land within York benefited by the said work and of the land described in Schedule I hereto in North York benefited by the said work shall be duly made and certified by the proper officers of York.

2. That the Court of Revision of the Township of York shall hear all appeals against the special rate imposed to pay for the cost of work notwithstanding that part of the land assessed is situated in the Township of North York.

3. That York will pass a by-law providing for the issue of debentures to pay for the whole cost of the work chargeable against the land benefited thereby and providing for the levy and collection in each municipality of the rates necessary to meet the debentures and interest thereon as they respectively fall due, which said by-law shall provide that thirty per cent. of the amount of such debentures shall be charged against that district in the Township of North York described in Schedule I attached hereto and shall be assessed and levied by a special rate on all the rateable real property in the amounts and the proportions which may be certified as correct by the Clerk of the Township of York after the holding of the Court of Revision in respect of such work and the settlement of appeals, if any, but no portion of the cost of such work shall be paid by North York at large.

4. The Township of North York covenants with York that it will in each and every year as may be designated by by-law of York collect the special rate which may be charged against that district in the Township of North York described in Schedule I hereto and will pay the full amount of such rates to York forthwith after the 14th day of December in each year during which rates are required to be collected pursuant to the said by-law and North York further covenants that it will pay the full amount in each year for which the said lands described in Schedule I hereto may be liable in respect of the cost of the said work as the same shall fall due in each year whether or not the rates imposed therefor have been collected from the persons liable to pay them.

5. York hereby covenants and agrees with North York that it will from time to time upon the request and at the expense of North York enter into an agreement or agreements from time to time granting permission to North York to connect the sewers of North York draining sanitary sewage only from the drainage area in which the lands described in Schedule II attached hereto are situate or any part of such area as an outlet for the said sanitary sewage which said agreements shall provide that North York shall pay to York annually for such outlet privilege over a period of ten years commencing at the date thereof a sum computed at the rate of thirty cents per foot frontage and shall also pay to York annually for maintenance so long as such sewers remain connected with the sewers of York, an additional sum computed at the rate of sixteen cents per foot frontage. The frontage upon which the outlet and maintenance charges are to be based as above shall be the land on each side of the sewer or sewers in the said district described in Schedule II hereto or part thereof which are or may be connected either directly or indirectly with the sewers of York under the provisions of any such agreement. Any such agreement shall further contain the usual covenants, provisoes and agreements which are contained in similar agreements entered into between York and the City of Toronto providing for sewer connections between such municipalities. Sanitary sewage for the purpose of this agreement shall not include any rain or storm water.

6. Any dispute arising out of or in connection with this agreement shall be referred to the Ontario Railway and Municipal Board whose decision shall be final.

7. The parties hereto of the Third Part, the owners of the lands described in Schedule I hereby consent to the assessment of thirty per cent. of the cost of the said work against the said lands.

8. This agreement shall not come into force or effect unless or until it shall have been validated by the Legislature of the Province of Ontario at the next Session thereof.

9. York shall submit this agreement for validation at the next Session of the Legislature of the Province of Ontario at its own expense and North York agrees to give its approval and consent to such validation. The special legislation applied for shall be in a form satisfactory to North York and in addition to validating this agreement shall authorize North York to collect the special rates imposed on the lands described in Schedule I in the same manner as other rates and taxes.

10. This agreement shall be binding upon and enure to the benefit of the parties hereto, their successors and assigns.

In witness whereof this agreement has been executed the day and year first above written.

SIGNED, SEALED AND DELIVERED:

in the presence of

Witness as to the signatures of the
Executors of W. G. Tretheway
Estate:

"S. W. BLACK."

"E. CASBOURNE."

"ERNEST G. WESTBURY," *Reeve.*
[SEAL]

"W. A. CLARKE, *Clerk.*

"C. H. TRETHEWAY."

"F. L. TRETHEWAY."

"RUTH O. SECORD."

"W. B. TRETHEWAY," by his
Attorney, F. L. Tretheway.

FERRANTI ELECTRIC COMPANY,
[SEAL]

"GEO. C. ROYCE," *President.*

"F. W. ROWNTREE," *Secretary.*

DOMINION BRIDGE COMPANY, LIMITED,
[SEAL]

"G. H. DUGGAN," *President.*

"F. W. EVENS," *Secretary.*

THE TOWNSHIP OF NORTH YORK,
[SEAL]

"JAS. MUIRHEAD," *Reeve.*

"H. D. GOODE," *Clerk.*

Schedule I.

Lands in the Township of North York against which it is proposed to assess a portion of the cost of the Ray Avenue Subway. Part of Township Lots 3 and 4, Concession 4, west of Yonge Street, owned by Ferranti Electric Company Limited, Dominion Bridge Company Limited and Tretheway Estate.

All and singular those certain parcels or tracts of lands and premises situate lying and being in the Township of North York, County of York and Province of Ontario, and being composed of:

FERRANTI ELECTRIC COMPANY LIMITED

Firstly: Part of Township Lot Number Three in the Fourth Concession, west of Yonge Street in the Township of North York, containing

five and seventy-eight one-hundredths acres ($5.78/100$ acres) and which said parcel as shown tinted in pink on the accompanying plan, may be more particularly described as follows: Commencing where an iron bar has been planted to mark the westerly angle of Block B, Registered Plan 2562, in the Township of York, being a point in the southerly limit of said Township Lot Three, Concession Four, west of Yonge Street where it is intersected by the northerly limit of the right-of-way of the Canadian Pacific Railway; thence bearing north seventy-two degrees sixteen minutes ($72^{\circ} 16'$) east along the northerly limit of said Block B, being along the southerly limit of said Lot Three, six hundred and five feet three inches ($605' 3''$) to an angle in the same; thence bearing north seventy-two degrees forty-five minutes ($72^{\circ} 45'$) east, continuing along said northerly limit of Block B, being along the southerly limit of said Township Lot Three, four hundred and eleven feet ten inches ($411' 10''$) to a stake marking the northerly angle of the said Block; thence bearing north fifty-five degrees thirty-nine minutes ($55^{\circ} 39'$) west, six hundred and twenty-eight feet three inches ($628' 3''$); thence bearing south thirty-four degrees twenty-one minutes ($34^{\circ} 21'$) west, eight hundred feet ($800'$) to the point of commencement.

DOMINION BRIDGE COMPANY, LIMITED

Secondly: Parts of Township Lots No. 3 and No. 4 in the Fourth Concession, west of Yonge Street in said Township containing 29.073 acres and which said parcel, as shown tinted in purple on the accompanying print, may be more particularly described as follows: Commencing where a stake has been planted in the westerly limit of said Township Lot No. 4, being the easterly limit of Jane Street, distant two hundred and six feet two and one-half inches ($206' 2\frac{1}{2}''$) measured northerly along said limit of Jane Street from a stake planted in the existing limit between Township Lots No. 3 and No. 4; thence bearing south nine degrees forty-four minutes ($9^{\circ} 44'$) east along said easterly limit of Jane Street four hundred and fifty feet ($450'$) to a stake planted in the existing northeasterly limit of the Canadian Pacific Railway right-of-way; thence bearing south fifty-five degrees thirty-nine minutes ($55^{\circ} 39'$) east along said limit of Canadian Pacific Railway right-of-way six hundred and forty-nine feet seven inches ($649' 7''$) to a round iron bar planted; thence bearing south thirty-four degrees twenty-one minutes ($34^{\circ} 21'$) west continuing along said limit of right-of-way ten feet ($10'$) to a stake planted; thence bearing south fifty-five degrees twenty-nine minutes ($55^{\circ} 29'$) east continuing along said limit of Railway right-of-way six hundred and ninety-eight feet eleven inches ($698' 11''$) to a stake planted therein, distant thirty feet ($30'$) measured northwesterly thereon from the northwesterly angle of Block B., Registered Plan No. 2562, York; thence bearing north thirty-four degrees twenty-one minutes ($34^{\circ} 21'$) east eight hundred feet ($800'$) to a stake planted in the northwesterly production of the westerly limit of Industry Street, Plan No. 2562, York, distant six hundred and fifty-eight feet three inches ($658' 3''$) measured northwesterly thereon from the northeasterly angle of Block B., Registered Plan No. 2562, York; thence bearing north fifty-five degrees thirty-nine minutes ($55^{\circ} 39'$) west continuing along said northwesterly production of said westerly limit of Industry Street sixteen hundred and sixty-one feet seven inches ($1,661' 7''$) to a stake planted; thence bearing south thirty-four degrees twenty-one minutes ($34^{\circ} 21'$) west at right angles to said last mentioned limit four hundred and sixty-four feet four and three-quarters inches ($464' 4\frac{3}{4}''$) to the point of commencement.

TRETHEWAY ESTATE

Thirdly: Parts of Township Lots 3 and 4, Concession 4, west of Yonge Street in the said Township of North York containing fifty-three and ninety-five one-hundredths acres ($53.95/100$ acres) and which said parcel as shown tinted in green upon the accompanying plan may be more particularly described as follows: Commencing at a point in the easterly limit of Jane Street being the point of intersection with the northeasterly limit of the right-of-way of the Canadian Pacific Railway Company; thence south-easterly along the northeasterly limit of said right-of-way, to the point of intersection with the northerly limit of Township Lot 2, Concession 4,

west of Yonge, being the northerly limit of the Township of York; thence easterly along the northerly limit of said Township Lot 2 to the point of intersection with the southwesterly limit of Holmsted Drive; thence northwesterly along the several courses of the southwesterly limit of Holmsted Drive, to the point of intersection with the easterly limit of Jane Street; thence southerly along the easterly limit of Jane Street to the point of commencement, excepting and deleting therefrom the lands described in parts one and two hereinbefore described as well as Industry Street and the street thirty feet (30') in width separating the said parcels 1 and 2 which said streets are shown tinted in brown upon the accompanying plan.

Schedule II.

Referred to in and forming part of the agreement made between the Township of York, the Township of North York and Charlotte Helen Tretheway, *et al*, dated the 16th day of December, 1929, and comprising the area within the Township of North York from which provision is made for the draining of sanitary sewage.

All and singular that certain parcel or tract of land and premises situate lying and being in the Township of North York, in the County of York and Province of Ontario and being composed of parts of Township Lots 3 and 4 in the Fourth Concession, west of Yonge Street, which said parcel as shown outlined in pink upon the attached print contains by admeasurement two hundred and fifteen and seventy-seven one-hundredths acres ($215 \frac{77}{100}$ acres) more or less and may be more particularly described as follows: Commencing at the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of the right-of-way of the Canadian Pacific Railway Company; thence northwesterly along the said northeast limit of the right-of-way of the Canadian Pacific Railway Company to a point in the east limit of Jane Street; thence northerly along the said east limit of Jane Street to the northwest angle of the said Township Lot 4; thence easterly along the north limit of the said Township Lot 4, a distance of three thousand six hundred feet (3,600'); thence southerly in a straight line to the point of intersection of the south limit of the said Township Lot 3 with the northeast limit of Tretheway Drive as dedicated by By-law No. 9964 of the Township of York; thence westerly along the south limit of the said Township Lot 3 to the point of commencement.

BILL.

An Act respecting the Township of York.

1st Reading

March 4th, 1930

2nd Reading

March 28th, 1930

3rd Reading

March 28th, 1930

MR. MACAULAY.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to authorize the Village of Forest Hill to alter By-law No. 112
of the said Corporation.

MR. OAKLEY

(PRIVATE BILL)

No. 47.

1930.

BILL

An Act to authorize the Village of Forest Hill to alter By-law No. 112 of the said Corporation.

Preamble.

WHEREAS the corporation of the village of Forest Hill has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Council may change, reduce or eliminate the district known as the "Industrial Area."

1.—(1) The council of the corporation of the village of Forest Hill may, with the assent of electors qualified to vote on money by-laws, pass a by-law or by-laws to change, reduce or eliminate the district known as the "Industrial Area" established by by-law number 112 of the corporation.

Power to pay compensation for land injuriously affected.

Rev. Stat. c. 233.

(2) Any land injuriously affected by the exercise of the power mentioned in subsection 1 shall be entitled to compensation as provided for by section 342 of *The Municipal Act*, such compensation, if any, shall be determined in the manner provided in the said Act.

Cost to be charged against Corporation or against Corporation, abutting land and land benefited.

Rev. Stat. c. 235.

(3) Any cost incurred by the exercise of this power, including any sum which may be paid to any person as compensation for the removal of plants already located, may be charged to the corporation, or it may be apportioned and assessed in the manner provided by section 29 of *The Local Improvement Act*, in which case the council shall levy and collect the same as provided in the said *The Local Improvement Act*.

Commencement of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to authorize the Corporation of the
Village of Forest Hill to alter By-law
No. 112 of the said Corporation.

1st Reading

2nd Reading

3rd Reading

MR. OAKLEY

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of East Windsor.

MR. POISSON.

(PRIVATE BILL)

No. 48.

1930.

BILL

An Act respecting the City of East Windsor.

Preamble.

WHEREAS the corporation of the city of East Windsor has, by its petition, prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of East Windsor Act, 1930.*

Interpre-
tation.

2. In this Act,—

(a) "Corporation" shall mean the municipal corporation of the city of East Windsor.

(b) "Council" shall mean the council of said corporation.

By-law
No. 947,
confirmed.

3. The by-law specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Construction
of works
under Rev.
Stat. c. 235.

4.—(1) The corporation may undertake and construct under the provisions of *The Local Improvement Act* any or all of the following works, namely:

(a) The widening of the whole or any portion of that part of Tecumseh Road which lies within the limits of the corporation.

(b) Any or all of the works mentioned in *The Local Improvement Act* upon that part of Tecumseh Road which lies within the limits of the corporation.

Application
of Rev. Stat.
c. 235.

(2) Except as otherwise in this Act provided the provisions of *The Local Improvement Act* shall apply to any work undertaken under this Act.

Assessment
of cost.

5. Notwithstanding anything contained in *The Local Improvement Act* the corporation may assess the cost of all or any of the said works mentioned in section 4 herein as follows:

- (a) The whole cost may be assessed against the lands on the north side of Tecumseh Road abutting directly on the work; or
- (b) Such portion of the cost as the council may deem just may be paid by the corporation at large, and the balance may be specially assessed upon the lands on the north side of Tecumseh Road abutting directly on the work; or
- (c) Such portion of the cost as the council may deem just may be paid by the corporation at large, and such portion of the balance of the cost as the council may deem just may be specially assessed upon the lands on the north side of Tecumseh Road abutting directly upon the work, and the balance of the cost may be specially assessed upon such other lands as may, in the discretion of the council, be deemed to be benefitted by said work; or
- (d) The whole cost may be assessed against such non-abutting lands as may in the discretion of the council be deemed to be benefitted by the work; or
- (e) Such portion of the cost as the council may deem just may be paid by the corporation at large and the balance may be specially assessed upon such non-abutting lands as may in the discretion of the council be deemed to be benefitted by the work.

Commence-
ment of
Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."
CITY OF EAST WINDSOR.

BY-LAW No. 947.

A By-law to provide for the borrowing of \$24,024.15 to pay for the construction of a 12-inch watermain and necessary connections on Tecumseh Road from Drouillard Road to Pillette Road.

Whereas pursuant to Construction By-law Number 924, a 12-inch watermain and necessary connections has been constructed on Tecumseh Road from Drouillard Road to Pillette Road as a local improvement under the provisions of *The Local Improvement Act*.

And whereas the total cost of the work is \$24,024.15 of which \$23,786.18 is the Corporation's portion of the cost, and \$237.97 is the owners' portion of the cost, for which a Special Assessment Roll has been duly made and certified.

And whereas the Corporation's portion of the cost is to be paid fifty per cent. (50%) by the Township of Sandwich East and fifty per cent. (50%) by the City of East Windsor.

And whereas the estimated lifetime of the work is twenty (20) years.

And whereas the Provincial Board of Health has approved of the said work.

And whereas it is necessary to borrow the said sum of \$24,024.15 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of five and one-half per cent. (5½%) per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal of the said debt payable in yearly sums during the period of twenty (20) years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of \$2,010.32. during the period of twenty (20) years to pay the said yearly sums of principal and interest as they become due, of which \$1,990.41 is required to pay the Corporation's portion of the cost and interest thereon, and \$19.91 is required to pay the owners' portion of the cost and interest thereon.

And whereas the whole rateable property of the municipality, according to the last Revised Assessment Roll, is \$21,935,550.00.

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts secured by special rates or assessments, is \$1,615,042.25, and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the City of East Windsor enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$24,024.15 and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of five and one-half per cent. (5½%) per annum, payable semi-annually, and having coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within two (2) years after the day on which this By-law is passed and may bear any date within such two years and shall be payable in twenty (20) annual instalments during the twenty (20) years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as set forth in Schedule "A" hereto annexed, which is hereby declared to be and form part of this By-law.

3. The debentures shall be payable both as to principal and interest in Canadian currency at the principal office of the Bank of Montreal at Montreal, Toronto or East Windsor, Ontario.

4. The Mayor of the Corporation shall sign and issue the debentures and the debentures and interest coupons shall be signed by the Treasurer and the debentures shall be sealed with the Seal of the Corporation. The signature of the Treasurer upon the coupons may be written, stamped, lithographed or engraved.

5. During the twenty (20) years the currency of the debentures, the sum of \$2,010.32, shall be raised annually for the payment of the debt and interest as follows: The sum of \$1,990.41 shall be raised annually for the payment of the Corporation's portion of the cost and interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the municipality at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and interest thereon, after deducting any sums received by the municipality by way of commutation of special rates and the interest thereon, the special assessments set forth in the Special Assessment Roll prepared in respect of the said work are hereby imposed upon the land liable therefor and therein set forth, which said special assessments with a sum to cover interest thereon at the rate aforesaid shall be payable in twenty (20) annual instalments of \$19.91. each and for that purpose the respective special annual rates per foot frontage set forth in the said Special Assessment Roll are hereby imposed upon the lands set forth in the said Special Assessment Roll for the said work according to the assessed frontage thereof over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to municipal debentures in force at the time of the issue thereof.

7. That the amount of the loan authorized by this By-law may be consolidated with the amount of any loans authorized by other Local Improvement By-laws, by including the same with such other loans in a Consolidating By-law authorizing the borrowing of the aggregate amount thereof in one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the Statute in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Finally passed this 17th day of February, A.D. 1930.

(Seal)

(Sgd.) JOHN H. WIGLE, *Mayor*.

(Sgd.) J. F. FOSTER, *Clerk*.

Schedule "A."

No.	<i>Interest</i>	<i>Principal</i>	<i>Total</i>
1.....	\$ 1,321 32	\$ 689 00	\$ 2,010 32
2.....	1,283 43	726 89	2,010 32
3.....	1,243 44	766 88	2,010 32
4.....	1,201 28	809 04	2,010 32
5.....	1,156 77	853 55	2,010 32
6.....	1,109 83	900 49	2,010 32
7.....	1,060 30	950 02	2,010 32
8.....	1,008 05	1,002 27	2,010 32
9.....	952 92	1,057 40	2,010 32
10.....	894 77	1,115 55	2,010 32
11.....	833 42	1,176 90	2,010 32
12.....	768 68	1,241 64	2,010 32
13.....	700 40	1,309 92	2,010 32
14.....	628 35	1,381 97	2,010 32
15.....	552 35	1,457 97	2,010 32
16.....	472 15	1,538 17	2,010 32
17.....	387 56	1,622 76	2,010 32
18.....	298 30	1,712 02	2,010 32
19.....	204 13	1,806 19	2,010 32
20.....	104 80	1,905 52	2,010 32
	<hr/>	<hr/>	<hr/>
	\$16,182 25	\$24,024 15	\$40,206 40

BILL.

An Act respecting the City of
East Windsor.

1st Reading

2nd Reading

3rd Reading

MR. POISSON.

(PRIVATE BILL)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of East Windsor.

MR. POISSON.

No. 48.

1930.

BILL

An Act respecting the City of East Windsor.

Preamble.

WHEREAS the corporation of the city of East Windsor has, by its petition, prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of East Windsor Act, 1930.*

Interpretation.

2. In this Act,—

(a) "Corporation" shall mean the municipal corporation of the city of East Windsor.

(b) "Council" shall mean the council of said corporation.

By-law No. 947, confirmed.

3. The by-law specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Construction of works under Rev. Stat. c. 235.

4.—(1) The corporation may undertake and construct under the provisions of *The Local Improvement Act* any or all of the following works, namely:

(a) The widening of the whole or any portion of that part of Tecumseh Road which lies within the limits of the corporation.

(b) Any or all of the works mentioned in *The Local Improvement Act* upon that part of Tecumseh Road which lies within the limits of the corporation.

Application of Rev. Stat. c. 235.

(2) Except as otherwise in this Act provided the provisions of *The Local Improvement Act* shall apply to any work undertaken under this Act.

5. Notwithstanding anything contained in *The Local Assessment Improvement Act*, no part of the cost of any of the works mentioned in section 4 undertaken and constructed by the city of East Windsor shall be assessed against the lands situated on the south side of Tecumseh Road.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A."

CITY OF EAST WINDSOR.

BY-LAW No. 947.

A By-law to provide for the borrowing of \$24,024.15 to pay for the construction of a 12-inch watermain and necessary connections on Tecumseh Road from Drouillard Road to Pillette Road.

Whereas pursuant to Construction By-law Number 924, a 12-inch watermain and necessary connections has been constructed on Tecumseh Road from Drouillard Road to Pillette Road as a local improvement under the provisions of *The Local Improvement Act*.

And whereas the total cost of the work is \$24,024.15 of which \$23,786.18 is the Corporation's portion of the cost, and \$237.97 is the owners' portion of the cost, for which a Special Assessment Roll has been duly made and certified.

And whereas the Corporation's portion of the cost is to be paid fifty per cent. (50%) by the Township of Sandwich East and fifty per cent. (50%) by the City of East Windsor.

And whereas the estimated lifetime of the work is twenty (20) years.

And whereas the Provincial Board of Health has approved of the said work,

And whereas it is necessary to borrow the said sum of \$24,024.15 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of five and one-half per cent. (5½%) per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal of the said debt payable in yearly sums during the period of twenty (20) years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of \$2,010.32, during the period of twenty (20) years to pay the said yearly sums of principal and interest as they become due, of which \$1,990.41 is required to pay the Corporation's portion of the cost and interest thereon, and \$19.91 is required to pay the owners' portion of the cost and interest thereon.

And whereas the whole rateable property of the municipality, according to the last Revised Assessment Roll, is \$21,935,550.00.

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts secured by special rates or assessments, is \$1,615,042.25, and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the City of East Windsor enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$24,024.15 and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of five and one-half per cent. (5½%) per annum, payable semi-annually, and having coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within two (2) years after the day on which this By-law is passed and may bear any date within such two years and shall be payable in twenty (20) annual instalments during the twenty (20) years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as set forth in Schedule "A" hereto annexed, which is hereby declared to be and form part of this By-law.

3. The debentures shall be payable both as to principal and interest in Canadian currency at the principal office of the Bank of Montreal at Montreal, Toronto or East Windsor, Ontario.

4. The Mayor of the Corporation shall sign and issue the debentures and the debentures and interest coupons shall be signed by the Treasurer and the debentures shall be sealed with the Seal of the Corporation. The signature of the Treasurer upon the coupons may be written, stamped, lithographed or engraved.

5. During the twenty (20) years the currency of the debentures, the sum of \$2,010.32, shall be raised annually for the payment of the debt and interest as follows: The sum of \$1,990.41 shall be raised annually for the payment of the Corporation's portion of the cost and interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the municipality at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and interest thereon, after deducting any sums received by the municipality by way of commutation of special rates and the interest thereon, the special assessments set forth in the Special Assessment Roll prepared in respect of the said work are hereby imposed upon the land liable therefor and therein set forth, which said special assessments with a sum to cover interest thereon at the rate aforesaid shall be payable in twenty (20) annual instalments of \$19.91. each and for that purpose the respective special annual rates per foot frontage set forth in the said Special Assessment Roll are hereby imposed upon the lands set forth in the said Special Assessment Roll for the said work according to the assessed frontage thereof over and above all other rates and taxes, which said special rates shall be collected annually by the Collector of Taxes for the Corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any Statute relating to municipal debentures in force at the time of the issue thereof.

7. That the amount of the loan authorized by this By-law may be consolidated with the amount of any loans authorized by other Local Improvement By-laws, by including the same with such other loans in a Consolidating By-law authorizing the borrowing of the aggregate amount thereof in one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the Statute in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Finally passed this 17th day of February, A.D. 1930.

(Seal)

(Sgd.) JOHN H. WIGLE, *Mayor*.

(Sgd.) J. F. FOSTER, *Clerk*.

Schedule "A."

No.	<i>Interest</i>	<i>Principal</i>	<i>Total</i>
1.....	\$ 1,321 32	\$ 689 00	\$ 2,010 32
2.....	1,283 43	726 89	2,010 32
3.....	1,243 44	766 88	2,010 32
4.....	1,201 28	809 04	2,010 32
5.....	1,156 77	853 55	2,010 32
6.....	1,109 83	900 49	2,010 32
7.....	1,060 30	950 02	2,010 32
8.....	1,008 05	1,002 27	2,010 32
9.....	952 92	1,057 40	2,010 32
10.....	894 77	1,115 55	2,010 32
11.....	833 42	1,176 90	2,010 32
12.....	768 68	1,241 64	2,010 32
13.....	700 40	1,309 92	2,010 32
14.....	628 35	1,381 97	2,010 32
15.....	552 35	1,457 97	2,010 32
16.....	472 15	1,538 17	2,010 32
17.....	387 56	1,622 76	2,010 32
18.....	298 30	1,712 02	2,010 32
19.....	204 13	1,806 19	2,010 32
20.....	104 80	1,905 52	2,010 32
	<hr/>	<hr/>	<hr/>
	\$16,182 25	\$24,024 15	\$40,206 40

BILL.

An Act respecting the City of
East Windsor.

1st Reading

March 4th, 1930

2nd Reading

March 26th, 1930

3rd Reading

March 28th, 1930

MR. POISSON.

No. 49

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Sarnia.

MR. McMILLEN

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 49.

1930.

BILL

An Act respecting the City of Sarnia.

Preamble.

WHEREAS the corporation of the city of Sarnia has by petition represented that by-law 1832 for the purpose of borrowing \$160,000 for hospital purposes was passed on the 30th day of December, 1929, and by-law 1759 for borrowing \$203,650 for the erection of a public school was passed on the 5th day of June, 1928, and that on account of certain objections which have been raised on behalf of intending purchasers of the said debentures it is desirable that the said by-laws and the debentures to be issued thereunder should be confirmed; and whereas the said corporation has by petition prayed that an Act may be passed for that purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law
1832 con-
firmed.

1. By-law No. 1832 passed by the council of the corporation of the city of Sarnia on the 30th day of December, 1929, and entitled "A By-law to raise \$160,000 by sale of debentures for hospital purposes," and all debentures issued or to be issued under the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation of the city of Sarnia and the ratepayers thereof.

By-law
1759 con-
firmed.

2. By-law No. 1759 passed by the council of the corporation of the city of Sarnia on the 5th day of June, 1928, and entitled "A By-law to raise \$203,650 to pay for the erection of a new Public School on the corner of Russell Street and Talfourd Street, and for equipment therefor," and all debentures issued or to be issued under the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation of the city of Sarnia and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the City of Sarnia.

1st Reading.

2nd Reading.

3rd Reading.

MR. McMILLEN.

(*Private Bill.*)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Sarnia.

MR. McMILLEN

No. 49.

1930.

BILL

An Act respecting the City of Sarnia.

Preamble.

WHEREAS the corporation of the city of Sarnia has by petition represented that by-law 1832 for the purpose of borrowing \$160,000 for hospital purposes was passed on the 30th day of December, 1929, and by-law 1759 for borrowing \$203,650 for the erection of a public school was passed on the 5th day of June, 1928, and that on account of certain objections which have been raised on behalf of intending purchasers of the said debentures it is desirable that the said by-laws and the debentures to be issued thereunder should be confirmed; and whereas the said corporation has by petition prayed that an Act may be passed for that purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Outario, enacts as follows:—

By-law
1832 con-
firmed.

1. By-law No. 1832 passed by the council of the corporation of the city of Sarnia on the 30th day of December, 1929, and entitled "A By-law to raise \$160,000 by sale of debentures for hospital purposes," and all debentures issued or to be issued under the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation of the city of Sarnia and the ratepayers thereof.

By-law
1759 con-
firmed.

2. By-law No. 1759 passed by the council of the corporation of the city of Sarnia on the 5th day of June, 1928, and entitled "A By-law to raise \$203,650 to pay for the erection of a new Public School on the corner of Russell Street and Talfourd Street, and for equipment therefor," and all debentures issued or to be issued under the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation of the city of Sarnia and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the City of Sarnia.

1st Reading.

March 4th, 1930

2nd Reading.

March 12th, 1930

3rd Reading.

March 19th, 1930

MR. McMILLLEN.

(*Private Bill.*)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Toronto.

MR. NESBITT

(PRIVATE BILL)

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition represented that certain lands and lands covered by water, in the area formerly forming part of the harbour of Toronto, bounded on the north by the Old Windmill Line on the east by the easterly limit of Parliament Street, on the south by the New Windmill Line and on the west by the westerly limit of Yonge Street, were granted by letters patent issued by the Crown in right of the Dominion of Canada and by the Crown in right of the Province of Ontario excepting and reserving therefrom as and for an allowance for a public highway a strip of land sixty-six feet in width lying to the south of the said Old Windmill Line and subject to certain trusts for the carrying out of the Windmill Line Agreement as validated and confirmed by the Act 4 Edward VII (Ont.), chapter 70, section 1, and that the said agreement provided for the construction on said strip of land of a highway commonly referred to as Lake Street; and that the said highway was not constructed through said lands; and that under the provisions of a certain agreement dated the 7th day of November, 1924, and made between the said corporation, the Canadian National Railway Company, the Canadian Pacific Railway Company and the Toronto Harbour Commissioners (commonly known as The Toronto Viaduct Agreement), a railway viaduct has been constructed through said lands and upon a large portion of the said strip of land known as Lake Street, and that the said strip of land has since been granted by letters patent issued by the Crown in right of the Dominion of Canada to the owners or beneficial owners of the adjoining lands; and that doubts have arisen as to the validity of the title of such owners to the said strip of land by reason of the said strip having been formerly reserved as and for an allowance for a public highway, and that it is desirable that such doubts be removed and that the lands affected by the trusts, conditions or obligations respecting the construction of Lake Street through the lands hereinbefore described as set out in the said Windmill Line Agreement and in the said Act should be freed and discharged from such trusts, conditions or obligations; and whereas the said corporation has by the said petition prayed for special

legislation in respect to the said matters and to the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Certain lands
freed from
trusts, etc.,
as to con-
struction of
Lake Street.

1.—(1) All lands on the waterfront of the city of Toronto lying east of Yonge Street in the said city and south of the Windmill Line referred to in the Statute 4 Edward VII, Chapter 70, section 1, and in the Windmill Line Agreement forming schedule A to the said statute, are hereby released, freed and discharged from all the trusts, obligations or conditions created or imposed thereon by the said statute or by the said agreement in respect to the construction through same of Lake Street and are released, freed and discharged from all conditions respecting the construction of Lake Street attached thereto in any patents thereof granted or issued in pursuance of the provisions of the said statute or agreement, and the respective persons and corporations entitled to the said lands or parts thereof are hereby declared to have been and to be entitled to receive, hold and convey the said lands freed and discharged from such trusts, obligations or conditions notwithstanding that any or all of the conditions imposed thereon or attached thereto by the said statute, agreement or patents were not performed.

Liens dis-
charged.

(2) The said lands are hereby released, freed and discharged of and from all liens (if any) which have attached thereto under the provisions of the said statute or agreement on account of expense incurred by the corporation of the city of Toronto for work in connection with or construction of the new street referred to in the said agreement.

Declaration
as to strip of
land not
being a
public
highway.

(3) It is hereby declared that the portion hereinafter described of the strip of land sixty-six feet in width formerly reserved for a new street (commonly referred to as Lake Street) as provided in section four of the said Windmill Line Agreement, namely, so much of the said strip of land as is situated between Yonge Street and Parliament Street, excepting therefrom so much as is included within the limits of any highway intersecting same, is not a public highway and is not subject to any trust therefor nor is it subject to any right or claim of the public to hold or enjoy it as such and the said portion of the said strip of land and all lands south thereof and east of Yonge Street are released, freed and discharged from the easements created by section 5 (e) of the said Windmill Line Agreement for the establishment and use of pipes for drawing

water from Toronto Bay, and the said allowance is released, freed and discharged from the restriction imposed by section 5 (f) of the said agreement.

Annual contribution to Police Benefit Fund.

2. The council of the said corporation may contribute yearly to the Toronto Police Benefit Fund any sum of money up to an amount sufficient, when added to contributions from members of the police force, to put the said fund on a sound actuarial basis so as to provide for all claims upon the fund on such plan of city payments, contributions by members, and provisions for benefits as shall be approved by by-law passed by the said council and may provide for continuing such yearly payments for any period of years, and at the expiration of any such period may make further provision for making further yearly payments to the said fund.

Levy of rates prior to issue of debentures.

Rev. Stat. c. 235.

3. Any special or general rate imposed under the authority of any by-law passed by the council of the corporation of the city of Toronto for the issue of debentures to pay for the cost of a work undertaken under *The Local Improvement Act* may be levied as soon as the by-law authorizing the issue of the debentures is passed by the said council, and no such rate heretofore or hereafter levied shall be held to be illegal by reason of the debentures in respect to which the rate is levied, or any of same not having been issued at the time of levying such rate.

Acquiring reserve strip for widening lane.

4. It is hereby declared that the council of the said corporation has, and has had since the 1st day of January, 1928, power and authority, when constructing a pavement on a lane under the provisions of *The Local Improvement Act*, to include in the work the widening of such lane by the acquisition of any reserve strip of land adjoining same and the construction of such pavement on such reserve strip.

Grant of \$10,000 to Art Gallery.

5. The council of the corporation of the city of Toronto may out of current revenue for the year 1930 make a grant of \$10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act passed in 1927 and chaptered 134.

1918, c. 89, amended.

6. Section 1 of the Act 18 George V, Chapter 89, is amended as follows, namely,—

- (a) By striking out the words "and a sum sufficient to cover the cost of their subsequent maintenance and operation" in the tenth and eleventh lines thereof;
- (b) By adding at the end thereof the following subsection,—

- (2) The said corporation shall annually collect as taxes by an equal special rate per foot frontage upon the lands described in sub-section 1 the amount expended by the said corporation for maintenance and operation of the said pump and equipment together with an amount to be fixed by the treasurer of the said corporation to provide for the renewal of the said pump and equipment; provided that in the first year in which such collection is made the amount collected shall be proportioned so as to reimburse the said corporation for operation, maintenance and renewal of the said pump and equipment from the date of commencement of its operation to the beginning of such year.

Power to
raise
\$663,674 for
certain pur-
poses.

7. The council of the corporation of the city of Toronto may from time to time, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws to raise the sum of \$663,674 or any portion thereof, for the following purposes, namely,—

Extensions of high pressure fire system . . .	\$418,791
Relief sewers	183,835
Reconstruction of sewer on Dufferin Street from Springhurst Avenue to south of Queen Street	61,048
	<hr/>
	\$663,674

By-law
borrowing
\$8,239,481.-
91 for North
Toronto
Sewerage
System.

8. By-law No.000 passed by the council of the corporation of the city of Toronto and entitled "A By-law to provide for borrowing \$8,239,481.91 to pay for the North Toronto Sewerage System" and all debentures to be issued thereunder and all assessments and rates imposed thereby, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act respecting the City of Toronto.

1st Reading,

2nd Reading,

3rd Reading,

MR. NESBITT.

(*Private Bill.*)

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act respecting the City of Toronto.

MR. NESBITT

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition represented that certain lands and lands covered by water, in the area formerly forming part of the harbour of Toronto, bounded on the north by the Old Windmill Line on the east by the easterly limit of Parliament Street, on the south by the New Windmill Line and on the west by the westerly limit of Yonge Street, were granted by letters patent issued by the Crown in right of the Dominion of Canada and by the Crown in right of the Province of Ontario excepting and reserving therefrom as and for an allowance for a public highway a strip of land sixty-six feet in width lying to the south of the said Old Windmill Line and subject to certain trusts for the carrying out of the Windmill Line Agreement as validated and confirmed by the Act 4 Edward VII (Ont.), chapter 70, section 1, and that the said agreement provided for the construction on said strip of land of a highway commonly referred to as Lake Street; and that the said highway was not constructed through said lands; and that under the provisions of a certain agreement dated the 7th day of November, 1924, and made between the said corporation, the Canadian National Railway Company, the Canadian Pacific Railway Company and the Toronto Harbour Commissioners (commonly known as The Toronto Viaduct Agreement), a railway viaduct has been constructed through said lands and upon a large portion of the said strip of land known as Lake Street, and that the said strip of land has since been granted by letters patent issued by the Crown in right of the Dominion of Canada to the owners or beneficial owners of the adjoining lands; and that doubts have arisen as to the validity of the title of such owners to the said strip of land by reason of the said strip having been formerly reserved as and for an allowance for a public highway, and that it is desirable that such doubts be removed and that the lands affected by the trusts, conditions or obligations respecting the construction of Lake Street through the lands hereinbefore described as set out in the said Windmill Line Agreement and in the said Act should be freed and discharged from such trusts, conditions or obligations; and whereas the said corporation has by the said petition prayed for special

legislation in respect to the said matters and to the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) All lands on the waterfront of the city of Toronto lying east of Yonge Street in the said city and south of the Windmill Line referred to in the Statute 4 Edward VII, Chapter 70, section 1, and in the Windmill Line Agreement forming schedule A to the said statute, are hereby released, freed and discharged from all the trusts, obligations or conditions created or imposed thereon by the said statute or by the said agreement in respect to the construction through same of Lake Street and are released, freed and discharged from all conditions respecting the construction of Lake Street attached thereto in any patents thereof granted or issued in pursuance of the provisions of the said statute or agreement, and the respective persons and corporations entitled to the said lands or parts thereof are hereby declared to have been and to be entitled to receive, hold and convey the said lands freed and discharged from such trusts, obligations or conditions notwithstanding that any or all of the conditions imposed thereon or attached thereto by the said statute, agreement or patents were not performed.

Certain lands freed from trusts, etc., as to construction of Lake Street.

(2) The said lands are hereby released, freed and discharged of and from all liens (if any) which have attached thereto under the provisions of the said statute or agreement on account of expense incurred by the corporation of the city of Toronto for work in connection with or construction of the new street referred to in the said agreement.

Liens discharged.

(3) It is hereby declared that the portion hereinafter described of the strip of land sixty-six feet in width formerly reserved for a new street (commonly referred to as Lake Street) as provided in section four of the said Windmill Line Agreement, namely, so much of the said strip of land as is situated between Yonge Street and Parliament Street, excepting therefrom so much as is included within the limits of any highway intersecting same, is not a public highway and is not subject to any trust therefor nor is it subject to any right or claim of the public to hold or enjoy it as such and the said portion of the said strip of land and all lands south thereof and east of Yonge Street are released, freed and discharged from the easements created by section 5 (e) of the said Windmill Line Agreement for the establishment and use of pipes for drawing

Declaration as to strip of land not being a public highway.

water from Toronto Bay, and the said allowance is released, freed and discharged from the restriction imposed by section 5 (f) of the said agreement.

Case of
Standard
Fuel Co.
et al.

(4) Notwithstanding anything herein contained, the Standard Fuel Company Limited, and any other person having any interest in any land affected by this Act, shall have all such rights of compensation in respect of such land, whether part of the original water lot, or land in front thereof, as they would have had if this Act had not been passed.

Annual con-
tribution
to Police
Benefit
Fund.

2. The council of the said corporation may contribute yearly to the Toronto Police Benefit Fund any sum of money up to an amount sufficient, when added to contributions from members of the police force, to put the said fund on a sound actuarial basis so as to provide for all claims upon the fund on such plan of city payments, contributions by members, and provisions for benefits as shall be approved by by-law passed by the said council and may provide for continuing such yearly payments for any period of years, and at the expiration of any such period may make further provision for making further yearly payments to the said fund.

Grant of
\$10,000 to
Art Gallery.

3. The council of the corporation of the city of Toronto may out of current revenue for the year 1930 make a grant of \$10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act passed in 1927 and chaptered 134.

1918, c. 89,
amended.

4. Section 1 of the Act 18 George V, Chapter 89, is amended as follows, namely,—

(a) By striking out the words “and a sum sufficient to cover the cost of their subsequent maintenance and operation” in the tenth and eleventh lines thereof;

(b) By adding the following subsection,—

(2) The said corporation shall annually collect as taxes by an equal special rate per foot frontage upon the lands described in subsection 1 the amount expended by the said corporation for maintenance and operation of the said pump and equipment together with an amount to be fixed by the treasurer of the said corporation to provide for the renewal of the said pump and equipment; provided that in the first year in which such collection is made the amount collected shall be proportioned so as to reimburse the said

corporation for operation, maintenance and renewal of the said pump and equipment from the date of commencement of its operation to the beginning of such year.

5. The council of the corporation of the city of Toronto may from time to time, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws to raise the sum of \$663,674 or any portion thereof, for the following purposes, namely,—

Extensions of high pressure fire system....	\$418,791
Relief sewers.....	183,835
Reconstruction of sewer on Dufferin Street from Springhurst Avenue to south of Queen Street.....	61,048
	<hr/> \$663,674

Power to
raise
\$663,674 for
certain pur-
poses.

6. By-law No. 12535 passed by the council of the corporation of the city of Toronto on the 10th day of March, 1930, and entitled "A By-law to provide for borrowing \$8,239,481.91 upon debentures to pay for the North Toronto Sewerage System" and all debentures to be issued thereunder and all assessments and rates imposed thereby, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law 12535
borrowing
\$8,239,481.-
91 for North
Toronto
Sewerage
System

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

BILL.

An Act respecting the City of Toronto.

1st Reading,

March 4th, 1930

2nd Reading,

March 19th, 1930

3rd Reading,

March 24th, 1930

MR. NESBITT.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to encourage the Mining of Iron Ore

MR. FERGUSON

No. 51.

1930.

BILL

An Act to encourage the Mining of Iron Ore.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Iron Ore Bounty Act, 1930.*

1924, c. 19,
repealed.

2. *The Iron Ore Bounty Act, 1924,* is repealed.

Interpre-
tation,
"Unit,"
"Ton."

3. In this Act:

(a) "Unit" shall mean one per cent.

(b) "Ton" shall mean 2,240 pounds avoirdupois.

Bounty
on iron ore
treated in
Ontario.

4. The Treasurer of Ontario may under authority of such regulations as may be made from time to time by the Lieutenant-Governor in Council, pay out of the Consolidated Revenue Fund a bounty to the miners or producers of iron ore which shall be raised or mined in Ontario for a period of ten years from the date of the coming into force of this Act, at the rate of one cent for every unit of metallic iron contained in each ton of merchantable ore, natural or beneficiated, provided that such ore has been used in Ontario in the production of pig iron, sponge iron, steel, or other material containing a preponderance of iron.

Temperature
at which
assay to
be made.

5. In ascertaining the contents of beneficiated or natural iron ore for the purpose of the bounty, the assay or analysis of the same shall be made when the ore has been dried at 212 degrees Fahrenheit.

Bounty to
relate to
ten years'
earnings.

6. The bounty herein provided shall cease and determine with the payment of any sum or sums which shall have been earned during the said period of ten years.

Commence-
ment of
Act.

7. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

EXPLANATORY NOTE.

This Act repeals The Iron Ore Bounty Act of 1924 which provided for the payment of a bounty of one-half of one per cent. for every unit of metallic iron contained in every ton of ore,—the bounty to be payable on low grade ore when the same had been concentrated, treated or beneficiated in Ontario by mechanical means and delivered at any blast furnace or other works for the production of pig iron or steel and for use in the same and on iron ore in the natural or unbeneficiated condition when delivered at any blast furnace or other works for the production of pig iron or steel in the Province of Ontario and for use in the same.

The Act of 1924 has not been proclaimed.

An Act to encourage the Mining of
Iron Ore.

1st Reading

February 6th, 1930

2nd Reading

3rd Reading

MR. FERGUSON

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to encourage the Mining of Iron Ore

MR. FERGUSON

No. 51.

1930.

BILL

An Act to encourage the Mining of Iron Ore.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title. **1.** This Act may be cited as *The Iron Ore Bounty Act, 1930.*
- 1924, c. 19,
repealed. **2.** *The Iron Ore Bounty Act, 1924*, is repealed.
- Interpre-
tation,
"Unit," **3.** In this Act,
 (a) "Unit" shall mean one per cent.
- "Ton." (b) "Ton" shall mean 2,240 pounds avoirdupois.
- Bounty
on iron ore
treated in
Ontario. **4.** The Treasurer of Ontario may under authority of such regulations as may be made from time to time by the Lieutenant-Governor in Council, pay out of the Consolidated Revenue Fund a bounty to the miners or producers of iron ore which shall be raised or mined in Ontario for a period of ten years from the date of the coming into force of this Act, at the rate of one cent for every unit of metallic iron contained in each ton of such ore, in the manner following, that is to say:
- (a) on low grade iron ore when the same has been concentrated, treated or beneficiated in Ontario by mechanical means and delivered at any iron blast furnace or other works for the production of pig iron or steel and for use in the same;
- (b) on iron ore in the natural or unbeneficiated condition when delivered at any blast furnace or other works for the production of pig iron or steel in the Province of Ontario, and for use in the same.
- Temperature
at which
assay to
be made. **5.** In ascertaining the contents of beneficiated or natural iron ore for the purpose of the bounty, the assay or analysis of the same shall be made when the ore has been dried at 212 degrees Fahrenheit.

6. The bounty herein provided shall cease and determine with the payment of any sum or sums which shall have been earned during the said period of ten years. Bounty to relate to ten years' earnings.

7. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

BILL.

An Act to encourage the Mining of
Iron Ore.

1st Reading

February 6th, 1930

2nd Reading

February 12th, 1930

3rd Reading

March 26th, 1930

MR. FERGUSON

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Charities Accounting Act

MR. PRICE

No. 52.

1930.

BILL

An Act to amend The Charities Accounting Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title

1. This Act may be cited as *The Charities Accounting Act, 1930.*

Rev. Stat.,
c. 152, s. 2,
amended.

2. Section 2 of *The Charities Accounting Act* is amended by striking out the words "and shall be accompanied by an attested copy of the will or other instrument" in the third and fourth lines and inserting in lieu thereof the words "and the notice to the Public Trustee shall be accompanied by an attested copy of the will or other instrument," so that the section will now read as follows:

Notice
to public
trustee
and bene-
ficiaries.

2. The notice shall state the nature of the property coming into the possession or under the control of the executor or trustee and the notice to the Public Trustee shall be accompanied by an attested copy of the will or other instrument.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

EXPLANATORY NOTE

The object of this Bill is to avoid the necessity of sending a copy of a will to every charity which may be mentioned therein. Notice of the gift will be sent to each of the charities and a copy of the will will be sent to the Public Trustee who has the oversight of the administration of charitable bequests.

BILL.

An Act to amend The Charities Accounting Act.

1st Reading

February 6th, 1930

2nd Reading

3rd Reading

MR. PRICE

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Charities Accounting Act

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 52.

1930.

BILL

An Act to amend The Charities Accounting Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title

1. This Act may be cited as *The Charities Accounting Act, 1930.*

Rev. Stat.,
c. 152, s. 2,
amended.

2. Section 2 of *The Charities Accounting Act* is amended by striking out the words "and shall be accompanied by an attested copy of the will or other instrument" in the third and fourth lines and inserting in lieu thereof the words "and the notice to the Public Trustee shall be accompanied by an attested or notarial copy of the will or other instrument," so that the section will now read as follows:

Notice
to Public
Trustee
and bene-
ficiaries.

2. The notice shall state the nature of the property coming into the possession or under the control of the executor or trustee and the notice to the Public Trustee shall be accompanied by an attested or notarial copy of the will or other instrument.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to amend The Charities Accounting Act.

1st Reading

February 6th, 1930

2nd Reading

February 17th, 1930

3rd Reading

March 12th, 1930

MR. PRICE

No. 53

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Lunacy Act

MR. PRICE

TORONTO
PRINTED BY
THE PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 53.

1930.

BILL

An Act to amend The Lunacy Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Lunacy Act, 1930*.

Rev. Stat.,
c. 98, s. 10, cl.
d amended.

2. The clause lettered *d* in section 10 of *The Lunacy Act* is amended by striking out the words "once in every year or oftener if required by the Court" in the fourth and fifth lines and inserting in lieu thereof the words "from time to time at such intervals as may be directed by the Court," so that the clause will now read as follows:

Account-
ing by
committee
of lunatic.

(*d*) The committee shall give security with two or more sureties in double the amount of the personal estate, and of the annual rents and profits of the real estate, for duly accounting for the same from time to time at such intervals as may be directed by the court, for filing the inventory and for the payment into court of the balances in his hands upon such accounting forthwith after the same shall have been ascertained or otherwise as the court may direct; and

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

EXPLANATORY NOTE

The object of this Bill is to avoid the necessity for an annual accounting by the committee of a lunatic, the present system being the cause of a great deal of unnecessary expense.

BILL.

An Act to amend The Lunacy Act.

1st Reading

February 6th, 1930

2nd Reading

3rd Reading

MR. PRICE

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Lunacy Act

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 53.

1930.

BILL

An Act to amend The Lunacy Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Lunacy Act, 1930*.

Rev. Stat.,
c. 98, s. 10, cl.
d amended.

2. The clause lettered *d* in section 10 of *The Lunacy Act* is amended by striking out the words "once in every year or oftener if required by the Court" in the fourth and fifth lines and inserting in lieu thereof the words "from time to time at such intervals as may be directed by the Court," so that the clause will now read as follows:

Account-
ing by
committee
of lunatic.

(*d*) The committee shall give security with two or more sureties in double the amount of the personal estate, and of the annual rents and profits of the real estate, for duly accounting for the same from time to time at such intervals as may be directed by the court, for filing the inventory and for the payment into court of the balances in his hands upon such accounting forthwith after the same shall have been ascertained or otherwise as the court may direct; and

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to amend The Lunacy Act.

1st Reading

February 6th, 1930

2nd Reading

February 14th, 1930

3rd Reading

March 12th, 1930

MR. PRICE

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Mining Act.

MR. MCCREA

No. 54.

1930.

BILL

An Act to amend The Mining Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Mining Act, 1930*.

Rev. Stat.,
c. 45, s. 1,
cl. *g*,
repealed. **2.** The clause lettered *g* in section 1 of *The Mining Act* is repealed.

Rev. Stat.,
c. 45, s. 36,
amended. **3.** Section 36 of *The Mining Act* is amended by striking out the word "and" in the eighth line and inserting in lieu thereof the word "not."

Rev. Stat.,
c. 45, s. 39,
amended. **4.** Section 39 of *The Mining Act* is amended by adding thereto the following clause:

(*e*) Lands in an Indian Reserve, except as provided by *The Indian Lands Act, 1924*, being 14 George V, chapter 15.

Rev. Stat.,
c. 45, s. 40,
subs. 1,
amended. **5.—(1)** Subsection 1 of section 40 of *The Mining Act* is amended by inserting after the word "minerals" in the third line, the words "or stake out a mining claim."

Rev. Stat.,
c. 45, s. 40,
subs. 2,
amended. (2) Subsection 2 of the said section 40 is amended by adding after the word "prospecting" in the third line, the words "or staking out."

Rev. Stat.,
c. 45, s. 103,
subs. 1,
repealed. **6.** Subsection 1 of section 103 of *The Mining Act* is repealed and the following substituted therefor:

Conditions
of patent,—
ores to be
treated in
Canada.

(1) All lands, claims, or mining rights leased, patented, or otherwise disposed of under this Act on or after the 12th day of April, 1917, shall be subject to the condition that all ores or minerals raised or removed therefrom shall be treated and refined within the Dominion of Canada, so as to yield refined metal or

EXPLANATORY NOTES.

Section 2. Clause (g) of section 1 of the Act is struck out to avoid confusion with the interpretation clauses inserted under the new section 153 which is set out in section 7 of this Bill.

Section 3. This is to correct a typographical error in the Revised Statutes, the word "and" having been printed instead of the word "not." As the clause stands at present the meaning is exactly contrary to the intention of the law.

Section 4. The present section 39 of the Act enumerates the classes of land on which mining claims may not be staked out. The question of acquiring title to Indian Lands was a difficult one previous to 1924, due to the fact that the province owned the precious metals and the Dominion, on behalf of the Indians, the other metals. In that year an agreement was made between the Dominion Government and the Ontario Government which provided, among other things, that the holder of a miner's license issued by Ontario might stake out claims on an Indian reserve or Indian lands on receiving the permission of the Dominion Government agent for the reserve. The staking out, size and number of claims are regulated by the Ontario law, while the recording, performance of work, issue of title, etc., are in accordance with the Dominion laws and regulations. It seems advisable to insert this amendment in order that the public might have information in this matter.

Section 5. The present section 40 of the Act prohibits prospecting in gardens, orchards, lands under crop, etc., but does not in terms forbid the staking out of claims. The changes suggested will make it clear that not only is prospecting forbidden, but that mining claims cannot be staked out on such lands without consent of the owner, or under an order of the recorder or the Judge of the Mining Court.

Section 6. The present subsection 1 of section 103 of the Act provides that ore taken from lands granted after the 12th day of April, 1917, shall be treated and refined in Canada, in default of which the lands shall revert to the Crown, but does not provide for any overt act by the Crown to declare a forfeiture when a breach of this provision has been made. The amendment provides that forfeiture shall be accomplished by passing an Order-in-Council which shall be duly recorded against the lands so that there may be notice of the forfeiture and reversion to the Crown.

other product suitable for direct use in the arts without further treatment, in default whereof the Lieutenant-Governor in Council may declare the lease, patent or other form of title of such lands, claims or mining rights to be null and void, and the Order-in-Council so declaring shall be registered in the office of the local master of titles or registry office as the case may be, whereupon the said lands, claims or mining rights shall revert to and become vested in His Majesty, His Heirs and Successors, freed and discharged of any interest or claim or any other person or persons whomsoever.

Rev. Stat.,
c. 45,
Part VIII.,
repealed.

7. Part VIII of *The Mining Act*, containing sections 153 to 174, as amended by section 3 of *The Mining Act, 1928*, and sections 4, 5 and 6 of *The Mining Act, 1929*, is repealed, and the following substituted therefor:

PART VIII—OPERATION OF MINES.

REGULATIONS.

Interpreta-
tion.

"Author-
ized,"
"Qualified."

"Chief In-
spector,"
"Inspector."

"Manager."

"Owner."

153.—(1) In this Part,—

- (a) "Authorized" shall mean properly authorized to perform any specified duty or to do any specified act, and "qualified" shall mean properly qualified to perform any specified duty or do any specified act;
- (b) "Chief Inspector" shall mean Chief Inspector of Mines for Ontario, and "Inspector" shall mean an Inspector of Mines for Ontario;
- (c) "Manager" shall mean the person responsible for the control, management and direction of a mine or works;
- (d) "Owner" when used in Parts VIII and IX of this Act shall include every person, mining partnership, and company being the immediate proprietor or lessee or occupier of a mine, or of any part thereof, or of any land located, patented or leased as mining lands but shall not include a person, or a mining partnership or company receiving merely a royalty, rent or fine from a mine or mining lands, or being merely the proprietor of a mine or mining lands subject to a lease, grant or other authority for the working thereof, or the owner of the surface rights and not of the ore or minerals;

Section 7. This amendment covers the whole of Part VIII of *The Mining Act* and is dealt with in detail under the various sections and subsections contained therein, the numbers referred to being the numbers as they appear in this Bill.

153.—(1) (*a, b, c, and d*). The wording here presented has been adopted to more clearly define the interpretation of the various terms used for the purposes of Part VIII of the Act.

153.—(2) Reworded in conformity with the requirements of 163 (1) (2) and (188), which define statutory qualifications for certain employees.

Responsi-
bility as to
qualifica-
tions.

- (2) Subject to the requirements of this Act, and except as otherwise herein provided, responsibility for the authorization and decisions as to the qualifications of the employees shall rest with the employer or his agent. R.S.O. 1927, c. 45, s. 153, *amended*.

Employment in and about Mines.

Restrictions
on employ-
ment of
children.

- 154.—(1) No male person under the age of sixteen years shall be employed in or about any mine, and no male person under the age of eighteen years shall be employed below ground in any mine. R.S.O. 1927, c. 45, s. 154.

Girls and
women.

- (2) No girl or woman shall be employed in or about any mine except in a technical, clerical or domestic capacity.

Rescue
stations.

- 155.—(1) There shall be provided and maintained mine rescue stations at such points in the Province as the Minister may direct and each of such stations shall be equipped and kept in such manner as may be directed by the Chief Inspector.

Workmen's
Compensa-
tion Board
to provide
funds.

- (2) The Workmen's Compensation Board of Ontario shall provide the funds necessary for the establishment, equipment and maintenance of each of such rescue stations at the expense of the mining industry and such funds shall be payable out of moneys assessed and collected from time to time from the mining industry.

Person or
persons in
charge to
train rescue
crews.

- (3) Each rescue station and its equipment shall be in charge of such person or persons as may be designated and appointed by the Chief Inspector and it shall be the duty of such person or persons to teach and train mine rescue crews in the use and maintenance of the apparatus and to maintain the apparatus in efficient and workable condition so as to be always available for immediate use.

Duty of
owner,
agent and
manager as
to training
of rescue
crews.

- (4) It shall be the duty of the owner, agent and manager of every mine to cause such number of workmen as the Inspector shall deem necessary, to be trained in the use and maintenance of rescue apparatus.

Hours of
labour
under-
ground.

- 156.—(1) No workman shall remain or be allowed to remain underground in any mine for more than eight hours in any consecutive twenty-four hours, which eight hours shall be reckoned from the time he arrives at his place of work in the mine until the time he leaves such place, provided however, that,

154.—(1) Certain words have been added to clarify this section.

154.—(2) This wording has been adopted to more clearly define the capacities in which girls or women may be employed about mines.

155.—(1), (2), (3), (4). Judge Godson's recommendations, numbers 10 and 11, specified the establishment of three mine rescue stations.

These clauses are here inserted to provide the necessary machinery for the establishment, control and maintenance of these stations and the training of an adequate number of mine employees in the use of rescue apparatus.

156.—(1) The only change here is in the dropping, in clause (b), of the proviso as it applied to hoistmen.

It is felt that in view of the exacting nature of a hoistman's duties, special precautionary measures should be provided for his protection and the protection of other men whose safety depends on the careful discharge of the hoistman's duties.

Proviso.

- (a) a Saturday shift may work longer hours for the purpose of avoiding work on Sunday or changing shift at the end of the week or giving any of the men a part holiday;
- (b) the said limit of time shall not apply to a foreman, pump man, cage-tender, or any person engaged solely in surveying or measuring, nor shall it apply in cases of emergency, where life or property is in imminent danger, or in any case of repair work or to any mine where the number of men working in a shift does not exceed six. R.S.O. 1927, c. 45, s. 156 (1).

Hours of operator of hoisting engine.

- (2) No person shall operate or be permitted to operate, either on the surface or underground, any hoisting engine by means of which persons or material are hoisted, lowered or handled in any shaft or winze, for more than eight hours in any consecutive twenty-four hours, except,—

Absence of hoistman.

- (a) that in the event of one of the regular hoistmen being absent from duty through sickness or otherwise and where no competent substitute is available the remaining hoistman or hoistmen may work extra time not exceeding four hours each in any consecutive twenty-four hours for a period not exceeding ten days;

Less than three shifts per day.

- (b) that in any case where the work at any mine or in any shaft or winze at any mine is not carried out continuously on three shifts per day, in which case the hoistman may work such extra time as may be necessary for hoisting or lowering the workmen employed on the shift at the beginning and end of each shift;

Saturday shift, emergencies.

- (c) in the cases provided for in clauses *a* and *b* of subsection 1.

Interpretation.

- (3) In this section,—

"Workman."

- (a) "Workman" shall mean any person employed underground in a mine who is not the owner or agent or an official of the mine;

"Shift."

- (b) "Shift" shall mean any body of workmen whose hours for beginning and terminating work in the mine are the same or approximately the same,

156.—(2) Under the old Act underground hoistmen were exempted from the requirements of the eight-hour day. No mention was made of the hours for surface hoistmen. The hoistman, of all classes of labour about the mine, probably carries on his work under a higher nervous tension than any other person and it is felt that eight hours should be the maximum limit that should be imposed on a man in this class of work, particularly in view of the high-speed hoisting which is now generally adopted in the deeper mines.

156.—(3-5). Unchanged.

Certificate
of inspector.

and where any question or dispute arises as to the meaning or application of clause (b) of subsection 1, or as to the meaning of "workman," "shift," or "underground," the certificate of the Inspector shall be conclusive.

Application
of sections
as to
penalties.

- (4) For greater certainty it is hereby declared that sections 178, 179 and 180 of this Act shall apply to contraventions of this section; provided, however, that a workman shall not be guilty of an offence for failure to return to the surface within the time limited by this section if he proves that without fault on his part he was prevented from returning owing to means not being available for the purpose.

Suspension
of operation
of section.

- (5) In the event of great emergency or grave economic disturbance, the Lieutenant-Governor in Council may suspend the operation of this section to such an extent and for such period as he deems fit; or as regards any iron mine, the Lieutenant-Governor in Council may upon the recommendation of the Minister, in like manner suspend the operation of this section in so far as such mine is concerned. R.S.O. 1927, c. 45, s. 156 (2-5).

Commence-
ment of
section.

- (6) This section shall have effect and shall be deemed to have had effect from the 1st day of January, 1914, in all parts of the Province without county organization, and as to the remaining parts of the Province this section shall come into force and have effect at such time as may be named by the Lieutenant-Governor by his Proclamation. R.S.O. 1927, c. 45, s. 156 (6), *amended*.

Age limit,
hoistmen,
handling
men.

- 157.—(1) No person under the age of twenty years and no person who has not had adequate experience on a reversing hoist shall be allowed to have charge of any hoisting engine by means of which persons are hoisted, lowered or handled in a shaft or winze at any time.

Age limit.

- (2) No person under the age of eighteen years shall be allowed to have charge of any hoisting engine or hoisting apparatus of any kind at a mine. R.S.O. 1927, c. 45, s. 157 (1, 2).

Hoistman to
be holder of
medical
certificate.

- (3) No person shall operate or be permitted to operate any hoisting engine used in raising or lowering persons, or for any other purpose designated by the Inspector, unless such person is the holder of a subsisting certificate from a duly qualified medical

156.—(6) Certain words have been added to clarify this subsection.

157.—(1), (2), (3). The changes made here over the old Act are necessitated through modern practice. Deep mining and large tonnages require the handling at high speed of large numbers of men at the same time. Some of the hoisting equipment now installed in Ontario is capable of hoisting and lowering well over one hundred men at one time, and at a speed of between two and three thousand feet per minute. The medical examination of hoistmen asked for in subsection (3) will be for the purpose of testing a hoistman's sight, his hearing, and his general ability to function properly under the conditions called for by modern mining practice.

practitioner to the effect that such person has been examined and that he is not subject to any infirmity, mental or bodily, or that his sight or hearing are not defective to such a degree as to interfere with the efficient discharge of his duties.

- (a) Every such certificate shall lapse and be deemed to have expired at the end of one year from the date thereof.

Examination
for presence
of silicosis,

Rev. Stat.,
c. 179.

- 158.—(1) Every workman employed underground in any mine shall be examined by a medical officer appointed under the provisions of *The Workmen's Compensation Act* relating to silicosis at least once in every twelve months, and every applicant for underground work to whom the certificate mentioned in subsection 2 has not been issued shall be so examined.

Medical
certificate.

- (2) If the medical officer finds upon examination that the workman is free from tuberculosis of the respiratory organs, he shall certify in the prescribed form that such is the case, and shall deliver the certificate to the workman.

Term of
certificate.

- (3) Every such certificate shall remain in force for not more than twelve months from the date of issue, and if so required by the manager or superintendent of the mine in which the workman is employed, it shall be delivered to and remain in the custody of such manager or superintendent during the period of the workman's employment, and shall be returned to him on his being discharged from or leaving the same.

Ore or rock
crushing
operations
at surface.

- (4) A like certificate shall be required in the case of a workman engaged in any ore or rock-crushing operation at the surface of the mine except where the ore or rock is crushed in water or a chemical solution and is kept constantly in a moistened or wet condition.

- (5) Except as provided in subsection 4 a workman as to whom such a certificate is not in force shall not be employed in underground work in any mine or in ore or rock-crushing operations at the surface of any mine.

Exemptions.

- (6) The Chief Inspector may exempt from the foregoing provisions of this section such mines as do not contain silica in quantity likely to produce silicosis, or which for any other good and sufficient reason the

158. Unchanged.

said Chief Inspector deems should be exempt, nor shall such provisions apply to workmen employed underground for a less period than fifty hours in any one calendar month.

Regulations.

- (7) The Lieutenant-Governor in Council may make regulations prescribing the nature of the medical examination to be made and the form of certificate to be issued under the foregoing provisions of this section and generally for the better carrying out of the requirements of this section. 1928, c. 16, s. 3.

Penalty for employment of persons contrary to Act.

159. Where a contravention of sections 154, 156 or 157 takes place, the owner or agent of the mine, or both of them, may be proceeded against, jointly or separately, and may be convicted of such offence, but neither the owner nor the agent shall be so convicted if he proves that the offence was committed without his knowledge or consent, and that he had caused notices of the said sections to be posted up, and to be kept posted up, at some conspicuous place at or near the entrance to the mining work.

Fencing of abandoned or unworked mines.

- 160.—(1) Where a mine has been abandoned or the work therein has been discontinued, the owner or lessee thereof or any other person interested in the mineral of the mine shall cause the top of the shaft and all entrances from the surface as well as all other pits and openings dangerous by reason of their depth, to be and to be kept securely fenced to the satisfaction of the Inspector.

Failure to erect fence after notice.

- (2) Every such person who, after notice in writing from the Inspector fails to comply with his directions as to such fencing within the time named in the notice shall be guilty of an offence against this Act.

When inspector may erect

- (3) Where the Inspector finds that any such fencing is required in order to avoid danger to health or property he may cause the work to be done and may pay the costs incurred out of any moneys provided for the purposes of this Act, and the amount of such costs, with interest thereon, shall be a lien and charge upon the mine or mining work, and no further transfer or other dealings with the mine or mining work shall take place until such amount is paid.

Recovery of costs of work.

- (4) The amount of such costs with interest thereon shall be due from the owner or lessee to the Crown and recoverable at the suit of the Inspector in any court of competent jurisdiction. R.S.O. 1927, c. 45, s. 159.

159. Unchanged.

160. Unchanged.

Inquest to be held in Case of Fatality.

Coroner to hold inquest in case of fatality in a mine.

- 161.—(1) The coroner who resides nearest to a mine wherein or in connection wherewith any fatal accident has occurred, shall forthwith conduct an inquest, but if he is in any way in the employment of the owner or lessee of the mine he shall be ineligible to act as coroner, and any other coroner shall, upon application by any person interested, forthwith issue his warrant and conduct such inquest, and this section shall be his authority for so doing whether his commission extends to such territory or not.

Right of the inspector or his representatives to be present at inquest.

- (2) The Inspector and any person authorized to act on his behalf shall be entitled to be present and to examine or cross-examine any witness at every inquest held concerning a death caused by an accident at a mine, and if the Inspector or someone on his behalf is not present, the coroner shall, before proceeding with the evidence adjourn the inquest and give the Deputy Minister not less than four days' notice of the time and place at which the evidence is to be taken. R.S.O. 1927, c. 45, s. 160.

RULES.

Rules for Protection of Miners.

Suspension of rule.

- 162.—(1) Where the owner, agent or manager of a mine by his application in writing stating his reasons therefor, requests the Inspector to suspend the requirements of any rule under section 163 as to such mine, the Inspector may in writing direct that the requirements of such rule shall not apply to such mine, or may in writing direct that such rule shall not apply so long as such limitations and conditions as he may see fit to impose, are observed or complied with.

Cancellation of suspension.

- (2) The Chief Inspector may at any time cancel any order made under subsection 1, or make such alterations therein as he may deem proper in view of any change in the conditions under which such order was made or upon it appearing to him that such change, for any other cause, is advisable.

Manager of mine may make rules.

- (3) The manager of a mine may make rules not inconsistent with any rule herein set out, or any special direction made by an Inspector as hereinbefore

161. Unchanged.

162.—(1), (2) Under the old Act the provisions of the operating rules applied "except insofar as the Inspector of Mines may deem the same not reasonably applicable."

The provision of this clause is of prime necessity in that it is admittedly impossible to frame legislation which may be justly applicable to all classes and all scales of mining operations where there are so many variable factors to be considered.

The effect of the new version is the same as that intended by the provisions of the old Act, but its application is much more definite and business-like.

162.—(3) There was no similar provision to this in the old Act.

In some of the larger mines there are conditions peculiar to that particular mine which the management control by means of orders given to

provided, for the maintenance of order and discipline and the prevention of accidents in the mine, and may submit any rule so made to the Chief Inspector, who shall lay the same before the Minister for his approval, and upon such approval being given the rules shall take effect after they have been posted up in a conspicuous place at the mine for at least fourteen days, provided that the Minister may disallow any of such rules or direct such changes to be made in them as he may deem proper.

- (a) Every such rule after approval and when and so long as it is posted up and is legible shall have the same force and effect as the rules and regulations set out in this Act and any person who contravenes any such rule shall incur the penalty provided for a breach of the rules and regulations contained in this Act.

Responsibility as to carrying out rules.

- (4) Except as to any rules which the Inspector has directed shall not be applicable thereto, the manager of the mine shall take all necessary and reasonable measures to enforce the requirements of the rules set forth in section 163 and to ensure that they are observed by every employee of the mine, and every foreman, mine captain, shift boss and department head shall take all necessary and reasonable measures to enforce the requirements of all such rules as are applicable to the work over which he has supervision and to ensure that the same are observed by the workmen under his charge or direction. Every person through whose neglect or wrongful act a contravention shall occur shall be deemed to have incurred the penalties provided for a breach of the rules.

Liability of contractors and sub-contractors.

- (5) Where work in or about a mine is let to a contractor or sub-contractor, he shall comply and enforce compliance with all the rules and provisions of this Part pertaining to the work over which he has control and shall in any case of noncompliance therewith be guilty of an offence and punishable in like manner as if he were owner or agent.

Duty as to knowledge of rules.

163. Subject to the provisions of section 162, the following rules shall be observed and carried out at every mine:
- (1) It shall be the duty of every manager, superintendent, mine captain, shift boss and every person in charge of workmen or who handles explosives or who

the workmen through the foremen. These rules cannot be enforced, except with the consent of the party affected. The only punishment which may be imposed for disregard of such orders is that of dismissal.

It is felt that by providing a method of giving such rules the status of legal regulations they become enforceable in a more definite manner.

Manitoba and South Africa have identical clauses.

162.—(4) Under the old Act the responsibility of the owner, agent, manager, superintendent, contractor, captain, foreman, workman, and other person engaged in or about the mine was to see that there be always enforced "such care and precaution for the avoidance of accident or injury to any person in or about the mine as the particular circumstances of the case require."

The application of a rule in this form has been found to be so broad and general as to be meaningless in any specific case, and for this reason it has been altered to the form given in the draft of this subsection.

162.—(5) This is substantially old section 174, inserted as a subsection to this section for the sake of context.

163. The first three lines of section 163 have been changed in conformity with the requirements of section 162 (1).

163.—(1) Unchanged.

operates machinery or electrical apparatus in or about a mine, to know such of these rules as apply to the work in which he is engaged.

Underground foreman to be able to speak English.

- (2) Every person employed as an underground foreman, meaning thereby one who is exclusively engaged in supervising the work of other men, shall be able to give and to receive and understand orders in the English language.

Suspension for unfamiliarity with rules.

- (3) The Inspector shall have the right to suspend any foreman or mine captain who is unfamiliar with, or does not understand the rules governing the operation of mines as contained in this Act.

Fire Protection.

Removal of inflammable material.

- (4) No inflammable refuse shall be allowed to accumulate underground, but shall be removed from the workings at least once a week and brought to the surface and there disposed of in a suitable manner.

Certificate as to amount of inflammable material.

- (5) Every shift boss and mine captain shall certify in writing to the mine manager at least once a week that there is no accumulation of inflammable refuse underground in the area under his supervision except as reported by him.

Oil and grease.

- (6) Oil and grease kept underground shall be contained in suitable metal receptacles and the amount so kept shall not exceed the requirements for seven days.

Timber.

- (7) All timber not in use in a mine shall as soon as practicable be taken from the mine and shall not be piled up and permitted to decay therein.

Underground buildings to fire-proofed.

- (8) All underground buildings or enclosures necessary for the housing and maintenance of machinery and equipment shall be so constructed as to reduce the fire hazard to a minimum.

Storage of carbide.

- (9) Calcium carbide shall be stored on the surface only, in a suitable dry place and in its original container. It shall only be taken into a change house or shaft house in sufficient quantity for the day's use, and such precautions shall be taken as will ensure its being safely handled. No carbide shall be taken underground except in suitable containers.

Fire-fighting appliances.

- (10) Suitable fire-fighting appliances shall be installed at all underground crushers, tipples and in dry shafts.

163.—(2) This is recommendation number 1 of Judge Godson.

163.—(3) This is recommendation number 2 of Judge Godson.

163.—(4) This is recommendation number 8 of Judge Godson.

163.—(5) This is recommendation number 9 of Judge Godson.

163.—(6) This is recommendation number 6 of Judge Godson.

163.—(7) Unchanged.

163.—(8) This is recommendation number 4 of Judge Godson.

163.—(9) This is old regulation 96, with the word "watertight" in the last line changed to "suitable" in conformity with the usual construction of such containers.

163.—(10) This is recommendation number 12 of Judge Godson.

Escapement
shafts.

- (11) In every mine where a vertical or inclined shaft has been sunk to a greater depth than 100 feet and lateral workings have been extended for a distance of 200 feet or more from the shaft and stoping has commenced there shall be provided and maintained, in addition to the hoisting shaft or the opening through which men are let into or out of the mine and the ore is extracted, a separate escapement shaft or opening. Such auxiliary exit shall not be less than fifty feet from the main hoisting shaft. Any structure covering such auxiliary exit shall be of such material and so constructed as to reduce the fire hazard to a minimum. If such an escapement shaft or opening is not in existence at the time that stoping is commenced, work upon it shall be begun as soon as stoping is commenced and shall be diligently prosecuted until the same is completed and means of escapement other than the main shaft shall be provided to and connected with the lowest level on which stoping operations are being carried on. The escapement shaft or opening shall be of sufficient size to afford an easy passageway, and shall be provided with good and substantial ladders from the deepest workings to the surface. With the exception of any erection used solely as a shaft house, no permanent building, for any purpose, shall be erected within fifty feet of the mouth of a mine, unless there is such an auxiliary exit.

Legible signs
showing
exits.

- (12) Legible signs showing the way to emergency exits shall be posted in prominent places underground and all workmen shall be instructed as to the location of auxiliary exits.

Equipment
for warning
workmen
under-
ground.

- (13) Every mine producing over one hundred tons of ore per day shall be equipped with a suitable apparatus for giving a warning signal to the men underground. Until such time as the Chief Inspector shall direct otherwise an approved apparatus for the introduction of ethyl mercaptan into the compressed air line shall be made available and kept ready for instant use for the foregoing purpose.

Installation
of boilers.

- (14) No boiler shall be installed within one hundred feet of the collar of any shaft.

Fire doors.

- (15) Where practicable, there shall be a sufficient number of fire doors installed underground in every mine to cut off the shaft from the other workings of the mine.

163.—(11) This is part of old regulation 93 somewhat reworded to more clearly indicate its application.

163.—(12) This is recommendation number 14 of Judge Godson.

163.—(13) This is recommendation number 13 of Judge Godson.

163.—(14) This is part of old regulation 93.

163.—(15) This is recommendation number 7 of Judge Godson.

Refuge
stations
within
mines.

- (16) Where the Chief Inspector deems it necessary or advisable for the protection of workmen employed underground, he may order refuge stations to be provided and maintained at such places within the mine as he may direct and every such refuge station shall have water, air and telephone connections to the surface and be separated from the adjoining workings by closeable openings so arranged and equipped that gases can be prevented from entering the refuge station.

Connection
between
mines.

- (17) (a) Where the Chief Inspector deems it necessary or advisable for the protection of workmen employed underground he may recommend in writing, to the Minister, that a connection between mines be established at such place as he deems advisable and he may further recommend that such connection be so made and equipped as to constitute a refuge station or refuge stations. Upon the approval by the Minister of any such recommendation a copy thereof, accompanied by a copy of this regulation shall be served personally upon or mailed by registered post to the owner or the agent and the manager of each of the mines affected.

- (b) Upon the approval of any such recommendation of the Chief Inspector the Minister may in writing signed by him appoint a committee of three persons who shall determine,—

the design, specifications and locations of the connecting passages, bulkheads or other structures to be constructed in order to safeguard the present and future operations of the mines affected;

the work to be done by each of the mines affected and the proportion in which the cost of such work and of establishing and maintaining the connection shall be borne by the owners of the mines affected;

the time at which such work in compliance herewith shall be commenced and completed;

the proportion in which the costs and expenses of the committee shall be borne by the owners of the mines affected;

163.—(16) This regulation is designed to afford protection to workmen who may be trapped underground in the event of a fire in the mine, cutting off their means of escape to the surface.

163.—(17) This is recommendation number 15 of Judge Godson.

such other provisions or requirements as in the premises they may deem necessary or advisable.

- (c) The committee shall submit a report in writing to the Minister and a report of the majority of the committee shall be deemed to be the finding of the committee.
- (d) Upon the approval by the Minister of the report of the committee the Chief Inspector may issue his order for the establishment and maintenance of such connection and refuge station or stations (if any recommended) in accordance with the terms of such report. A copy of the report shall be attached to the order and form a part thereof. No such order shall be subject to appeal upon any ground whatsoever but shall be enforceable in the same manner as any order of the Chief Inspector.

Aid to Injured.

Stretchers
for con-
veyance of
injured
persons.

- (18) At every mine there shall be maintained a sufficient number of properly constructed stretchers for the proper handling and transporting of persons who may be injured in the discharge of their duties about the mine.

Supplies for
first aid.

- (19) There shall be provided and maintained at every mine for the treatment of anyone injured such first aid supplies as are required by the regulations of *The Workmen's Compensation Act*.

Rev. Stat.,
c. 179.

Antidotes
and washes.

- (20) At every mine or works where poisonous or dangerous compounds, solutions or gases are used or produced there shall be kept in a conspicuous place as near the same as practicable, a sufficient supply of satisfactory antidotes and washes for treating injuries received from such compounds, solutions or gases. Such antidotes and washes shall be properly labelled, and explicit directions for their use affixed to the boxes containing them.

Prevention of Dust.

Removal of
dust.

- (21) In every mill or plant where, by reason of dry crushing or otherwise, there is in the air of the building dust in quantity to be injurious to health, suitable apparatus shall be installed for its removal.

163.—(18) This is old regulation 114 reworded in line with more practicable requirements.

163.—(19) *The Workmen's Compensation Act*, regulation 88, gives lists of standard first-aid equipment required for different sizes of operations.

163.—(20-21) Unchanged.

Handling Water.

Safety from
water.

- (22) Every working mine shall be provided with suitable and efficient machinery and appliances for keeping the mine free from water, the accumulation or flowing of which might endanger the lives of workmen in such mine or in any adjoining mine.

Bore holes
necessary
when
approaching
places likely
to contain
dangerous
amount of
water.

- (23) Where there is or may be an accumulation of water any working approaching the same shall have bore holes kept in advance, and such additional precautionary measures shall be taken as may be deemed necessary to obviate the danger of a sudden breaking through of the water.

Dams and
bulkheads.

- (24) Every dam or bulkhead and its location shall be clearly shown on the mine plan, and in the design of every such dam or bulkhead the calculations shall be based on a factor of safety of ten and the structure erected in accordance with such calculations.

(a) No such dam or bulkhead shall be erected without the permission of the Inspector being first had and obtained.

(b) This rule shall not apply in the case of a small structure less than three feet in height used solely for diverting the ordinary level drainage and which does not impound any appreciable volume of water.

Ventilation.

Ventilation.

- (25) The ventilation in every mine shall be such that the air in all of its workings that are in use or are to be used by workmen or others shall be free from dangerous amounts of noxious impurities and shall contain sufficient oxygen to obviate danger to the health of anyone employed in any such mine. In any mine workings where such conditions cannot be obtained by natural ventilation approved means for mechanical ventilation shall be provided and kept in operation until such workings have been abandoned or until satisfactory natural ventilation shall have been brought about therein.

Fans.

- (26) All fans except auxiliary fans shall be above ground and shall be reversible and all fans and structures containing the same shall be fireproof.

Internal
combustion
engine.

- (27) No internal combustion engine shall be installed or operated underground in any mine.

163.—(22) This is old regulation 39 reworded so as to apply more specifically to matters pertaining only to the protection of underground workmen.

163.—(23) Unchanged.

163.—(24) The impounding of any great volume of water underground introduces a hazard through the possible flooding of lower workings in any event of a break in the impounding structure.

The amount of water to be impounded, the type of enclosing rocks and the location of the dam in reference to other underground openings are matters which the inspector would have to consider before authorizing any such construction.

163.—(25) This refers to matters dealt with in old regulation 2, but more clearly defines standards of ventilation than was the case in the old regulation.

163.—(26) This is recommendation number 4 of Judge Godson, with the change that the word "booster" used in Judge Godson's recommendation has been dropped to better define the class of installation to which the exception to the rule is intended to apply.

163.—(27) This is a new regulation designed to eliminate an obvious hazard.

Sanitation.

Sanitary
conveni-
ences.

(28) The manager of a mine shall provide or cause to be provided on the surface and in the underground workings sufficient and suitable sanitary conveniences in accordance with the following rules:

(a) Where the number of persons employed on any shift does not exceed one hundred there shall be one sanitary convenience for every twenty-five persons or portion thereof;

(b) Where the number of persons so employed exceeds one hundred there shall be one additional sanitary convenience for every fifty persons or portion thereof over the first hundred.

(29) These sanitary conveniences must be kept in a cleanly manner; must be adequately supplied with chloride of lime, sawdust, fine ash or other suitable absorbent; must be removed and cleaned regularly; must be conveniently placed with reference to the number of men employed on the different levels; and must be placed in a well-ventilated part of the mine.

(30) Any person depositing faeces in any place underground other than in the sanitary conveniences provided, shall be guilty of an offence against this Act.

Dressing
room.

(31) If more than ten persons to each shift are ordinarily employed in the mine below ground, sufficient accommodation, including supplies of clean cold and warm water for washing, shall be provided above ground near the principal entrance of the mine, and not in the engine room, boiler room, or nearer than fifty feet to the shaft house, for enabling the persons employed in the mine to conveniently dry and change their clothes.

Care and Use of Explosives.

Marking
strength on
original
packages of
explosives.

(32) No explosive shall be used at any mine, unless there is plainly printed or marked on every original package containing such explosive the name and place of business of the manufacturer, and the strength, and the date of its manufacture. Every case of supposed defective fuse, detonator or powder shall be reported to the Inspector with the name

163.—(28-32) Unchanged.

Defective explosives to be reported.

of the manufacturer and the serial number of the package from which such fuse, detonator, or powder was taken.

Storage of explosives.

(33) Except as otherwise provided herein, all explosives shall be stored in special suitable buildings, such as magazines, thaw houses, detonator storage buildings or cap and fuse houses.

(a) No such building shall be erected or maintained at any mine except with the written permission of an Inspector, nor until the site of the building and the style of structure has been approved by him.

(b) Where possible, every such building shall be located in accordance with the British Table of Distances in respect of its distance from the mine or works or any other buildings or any public highway or public railway. Where conditions are such that it is impossible to locate such buildings in accordance with the British Table of Distances, the mine manager and the Inspector shall jointly choose the most suitable location.

(c) Every such building shall be constructed of materials to insure as far as possible against accident from any cause.

(d) The rules in reference to the care and use of explosives shall be kept posted up inside every such building.

(e) Every such building shall be kept securely locked at all such times as the attendant is not present and it shall be clearly indicated by some easily visible sign posted outside the building that explosives are stored therein.

Magazines, thaw houses, etc.

(34) Magazines, thaw houses, cap and fuse houses and explosives storage boxes shall at all times be kept clean and dry and free from grit.

Floors and shelves.

(35) Floors and shelves shall be washed at such regular intervals and with such materials as shall be approved by an Inspector and all traces of explosives shall be removed from floors and shelves.

163.—(33) The old Act stipulated rules for the location of the magazine, but did not require that a magazine be maintained for the purpose of storing explosives.

The requirement of the erection of the building in accordance with the British Table of Distances is in line with best practice and is adopted in order to have a requisite standard to work from and to assure a uniformity of practice in such matters.

The requirements on the structural materials used in explosive storage buildings are inserted to ensure construction which will minimize the hazard from fire and to provide for bullet-proof construction, etc.

The requirements of posting external notices designating that explosives are stored in the buildings and posting of an abstract of the regulations relating to the care and use of explosives inside the buildings are matters of good practice adopted as a warning against carelessness.

The clause relating to keeping the buildings locked except when the attendant is actually present is in conformity with standard magazine practice.

163.—(34), (35), (36) These are new regulations adopted in accordance with good practice.

What explosives to be used first.

- (36) When supplies of explosives are removed from a magazine those that have been longest in the magazine shall be used first provided they are not defective. In all cases where explosives have become defective they shall be suitably and safely disposed of.

Opening cases.

- (37) Only implements of wood, brass or copper shall be used in opening cases containing explosives.

Amount of explosives to be stored underground.

- (38) Explosives shall not be stored underground in any mine to an amount in excess of the necessary supply for twenty-four hours and in no case exceeding three hundred pounds in any one place, except with the written permission of an Inspector and subject to such conditions as he may prescribe.

Storage of explosives.

- (39) No explosive shall be stored within two hundred feet of any shaft station, or transformer station underground in any mine.

Storage of detonators.

- (40) Detonators shall not be stored in the same receptacle or storage building as other explosives.

Naked light.

- (41) No naked light shall be taken into any building or place where explosives are stored or within ten feet of any place underground where explosives are stored and no person shall smoke in any building or place where explosives are stored or while handling explosives.

Smoking.

Inspection of stores of explosives in a mine.

- (42) (a) The manager, captain or some other properly authorized person or persons shall make a thorough daily inspection of the condition of the explosives in or about the mine and shall make an immediate investigation when an act of careless placing or handling of explosives is discovered by or reported to him.
- (b) Any employee who commits a careless act with an explosive or where explosives are stored, or who, having discovered such an act to have been committed, omits or neglects to report immediately such act to an officer in charge of the mine, shall be guilty of an offence against this Act and the officer in charge of the mine shall immediately report such offence to the Inspector or to the Crown Attorney of the county or district in which the mine is situate.

Explosives not to be stored in closed mine.

- (43) When any mine is closed down all explosives shall be disposed of and no explosive may be stored in any such closed-down mine without permission of an Inspector.

163.—(37) This is a revision of old regulation 5, the change being the elimination of the restriction on opening cases in a magazine. The wording contained in the old Act was in conformity with standard magazine rules. It is considered that conditions at many of the larger mines have become such that it is impracticable to require that the cases containing the explosives be removed from the magazine before they are opened.

It may be pointed out that there is no record of an accident ever having happened in opening a case of explosives in spite of much known crude handling during this operation.

It is certain that by permitting cases to be opened in the magazine itself it is practically assured that better methods will be used than when the individual miner opens the case in the underground workings.

163.—(38) This declares practice as to the storage of explosives underground.

163.—(39) The accidental explosion of any quantity of explosives in the vicinity of an underground shaft station or transformer station might be a much more serious occurrence than in the more isolated parts of the mine. Again, there is possibly more risk of an accident happening near a station than elsewhere, owing to the nature of the use to which such stations are put. This is a new provision and had no parallel in the old Act.

163.—(40) This is a revision of regulation 8 of the old Act.

The stipulation of the old Act that detonators must not be stored within 50 feet of other explosives has been deleted, as the storage of such articles is covered in the interpretation of the British Table of Distances. It is further felt that the requirement of a stated distance, especially as high as 50 feet, in reference to the underground storage of high explosives and detonators is impracticable.

163.—(41) The matters referred to in this regulation are the same as those dealt with in regulation 9 of the old Act. The regulation has been reworded to be more in line with accepted practice.

163.—(42) This relates to regulation 10 of the old Act, the change being the substitution of the words "some other properly authorized person or persons" in lieu of "or other officer of the mine," in conformity with standard practice.

163.—(43) This new regulation is included at the request of the Department of the Chief Inspector of Explosives, Ottawa.

Explosives must not be moved from mine except by written permission of manager.

Thawing houses.

Thermometer necessary.

Thawing near open fire or steam boilers forbidden.

Wiring in powder magazines and thaws.

Switches to be outside of powder magazines and thaws.

Electric heating of powder thaws.

(44) No person shall take away from a mine any explosive without the written permission of the manager or of such person as may be authorized by the manager to give such permission.

(45) No building for thawing explosives shall be maintained in connection with any mine except with the written permission of an Inspector. The building shall be above ground, unless exemption obtained under the provisions of subsections 1 and 2 of section 162 direct otherwise, and the site of the building and the style of structure and equipment shall be subject to the approval of the Inspector. The building shall be under the direction of the manager or some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of twenty-four hours, plus the amount that it may be necessary to have thawing to maintain that supply.

(46) A reliable recording thermometer shall be kept in the room in which explosives are thawed and the record thereof kept, but where the amount of explosives in such thawing room does not exceed two hundred pounds at any one time, the Inspector may give permission, in writing, to use a maximum and minimum registering thermometer on condition that a daily record of high and low temperature be made and kept on file.

(47) In no case shall powder be thawed near an open fire or steam boiler or by direct contact with steam or hot water.

(48) All electric wiring in powder magazines and thaws shall be installed in rigid conduit with screwed, waterproof joints, and such conduit shall be permanently grounded.

(49) The switches and fuses for lighting, heating or telephone circuits for powder magazines or thaws shall be installed in a locked fireproof cabinet on the outside of the building. The fuses for power used shall be such that they will interrupt the current at twenty-five per centum over the normal load. Fuses for lighting circuits shall not exceed 10-ampere capacity.

(50) Where water is the medium used for the distribution of electrically generated heat for powder thaws the

163.—(44) Unchanged.

163.—(45) This determines policy as to thaw houses.

163.—(46) The change is to correct a typographical error, the word "reading" in the first line being changed to the word "recording."

163.—(47) There is no change in this regulation over regulation 12 of the old Act other than the deletion of the last phrase of the rule relative to electrical heating devices in thaws. This portion of the old regulation is dealt with in Regulation 50 of the Bill.

163.—(48-49) Unchanged.

163.—(50) The change here over the old Act, regulation 194 (c), is the inclusion of that portion of old regulation 12 relating to electrical heating devices in thaws and the prohibition of the use of wire or grid type heaters for generating heating for thawing purposes. This last change has been adopted as a fire prevention measure.

radiation pipes shall be permanently grounded. No electrical device for generating heat shall be allowed in the same compartment with explosives. Wire or grid-type heaters shall not be installed in conjunction with any building in which explosives are stored or handled.

Handling
explosives.

- (51) Every possible precaution shall be taken in the handling and transportation of explosives.

Explosives
to be raised
or lowered
gently.

- (52) The hoistman shall gently lower or raise the cage or other conveyance containing explosives. No person shall place in or take out of the shaft conveyance any explosives except under the immediate supervision of the person authorized by the manager, mine captain or shift boss.

Explosives
to be left
only in
authorized
places at
stations.

- (53) No person authorized to distribute explosives shall leave the same except at a place duly provided therefor under the terms of this Act or with some other person authorized to take charge of the same.

Transporta-
tion of
detonators.

- (54) Detonators shall not be transported in any shaft conveyance with any other explosive unless placed in a separate suitable container.

Blasting on
contiguous
claims.

- (55) Where parties working contiguous or adjacent claims or mines disagree as to the time of setting off blasts, either party may appeal to the Inspector, who shall decide upon the time at which blasting operations thereon may be performed, and the decision of the Inspector shall be final and conclusive and shall be observed by them in future blasting operations.

Explosives
not to be re-
moved from
original con-
tainer.

- (56) No explosive shall be removed from its original paper container or cartridge.

Blasting of
roast heaps.

- (57) No explosive shall be used to blast or break up ore, salamander or other material where by reason of its heated condition there is any danger or risk of premature explosion of the charge.

Size of
drill holes.

- (58) All drill holes, whether sunk by hand or machine drills shall be of sufficient size to admit of the free insertion to the bottom of the hole of a stick or cartridge of powder, dynamite or other explosive, without ramming, pounding or pressure.

No iron or
steel to be
used in
charging
holes.

- (59) In charging holes for blasting, no iron or steel tool or rod shall be used, and no iron or steel shall be used

163.—(51) This relates to matters dealt with in regulation 21 of the old Act. The clause has been rewritten to cover all matters pertaining to the storage, transportation and handling of explosives.

163.—(52) Unchanged.

163.—(53) This refers to regulation 23 of the old Act, the change being merely a matter of phrasing.

163.—(54) This is a new regulation and has been inserted in accordance with good practice and to obviate a possible chance of mishap through rough handling or accident while exposed detonators are being transported in a shaft along with other explosives.

163.—(55) Unchanged.

163.—(56) This is a portion of old regulation 26 which has been split up into two regulations, numbers 56 and 58, as the regulation deals with different matters.

163.—(57) Unchanged.

163.—(58) This is a portion of old regulation 26 as explained under regulation 56.

163.—(59-61) Unchanged.

in any hole containing explosives, and no drilling shall be done in any hole that has been charged or blasted.

Due
warning
required.

- (60) Every workman shall, before blasting, give or cause to be given due warning in every direction by shouting "Fire," and shall satisfy himself that all persons have left the working place except those required to assist him in blasting.

Guarding
entrances to
places where
blasting is to
be done.

- (61) Every workman shall, before blasting, cause all entrances to the place or places where such blasting is to be done or where the safety of persons may be endangered by such blasting, to be effectively guarded, so as to prevent inadvertent access to such place or places while such charges are being blasted.

Fuse.

- (62) Except where fired electrically no fuse shorter than three feet shall be used in any blasting operation. In the case of a supposedly missed hole no person shall return to the place of blasting within thirty minutes of the time of lighting the fuse. In a working place where more than two shots have been fired, no person shall return to the scene of a blast within the number of minutes which are equal to twice the number of feet in the longest fuse used in the blasting operation at hand.

Second
light
necessary.

- (63) In no case shall a workman light the fuse without having a second light placed conveniently close.

Reporting of
missed holes.

- (64) When a workman fires a round of holes he shall, where possible, count the number of shots exploding. If there is any report missing, he shall report the same to the mine captain or shift boss. If a missed hole has not been fired at the end of a shift, that fact, together with the location of the hole, shall be reported by the mine captain or shift boss to the mine captain or shift boss in charge of the next relay of workmen going into that working place before work is commenced by them.

Charge
missing fire
to be
blasted.

- (65) A charge which has missed fire shall not be withdrawn, but shall be blasted and no drilling shall be done within a distance at any point of five feet of a missed or cut-off hole containing explosive until it has been blasted.

Examina-
tion for
missed or
cut-off hole.

- (66) No development heading shall be abandoned or work therein discontinued until the material broken at the firing of the last round shall have been cleared from the face and the whole face of the heading examined for explosives in missed or cut-off holes.

163.—(62) This is old regulation 16 rewritten, the principal changes being the prohibition for any purpose of a fuse shorter than three feet, requiring a pause of at least thirty minutes before returning to investigate a supposedly missed hole, and requiring precautionary measures where a series of shots are being simultaneously fired, to lessen the risk of a workman returning too soon after blasting.

These matters are all in accordance with good practice.

163.—(63) Unchanged.

163.—(64). This is regulation 15 of the old Act rewritten, the change being in relation to the reporting of missed holes to the foreman in charge of the next shift of workmen going into the working place where the missed hole is suspected, rather than report the fact to a foreman who might not have jurisdiction over that particular working place.

163.—(65). This is a revision of regulation 25 of the old Act, the change being made to meet more practical requirements without introducing any element of extra hazard.

163.—(66). There was no parallel clause in the old Act. The regulation is drawn up with the intent of averting the chance of a forgotten or unknown missed hole being encountered on later recommencing operations in an abandoned heading.

When blasting to be done by electric current.

- (67) After the first ten feet advance has been made in any shaft or winze, and after fifty feet advance has been made in any raise inclined at over fifty degrees from the horizontal, all blasting shall be done by means of an electric current.

Electric current to be disconnected after blasting.

- (68) A workman shall not, where blasting takes place by electricity, enter or allow other persons to enter the place or places where the charges have been fired until he has disconnected the cables from the blasting battery or other source of current.

Restrictions on use of electricity for shot firing.

- (69) (a) Electricity from lighting or power cables shall not be used for firing shots except when a special firing device which automatically opens the circuit by gravity is provided. The live side of such device shall be installed in a fixed locked box and shall be accessible only to the authorized shot firer.

- (b) One such device shall be maintained for each individual working place in which firing is done by means of electricity from lighting or power cables.

Connection and disconnection.

- (70) The firing cables or wires shall not be connected to the firing device until immediately before they are required for the firing of shots, and shall be disconnected immediately after the shots are fired.

Firing cables.

- (71) The firing cables or wires used for firing shots at one working place shall not be used for firing shots in another working place until all proper precautions have been taken to insure that such firing cables or wires have not any electrical connection with the leads from the first working place.

Precautions in using shot-firing cables.

- (72) When shot-firing cables or wires are used in the vicinity of power or lighting cables, sufficient precautions shall be taken to prevent the shot-firing cables or wires coming in contact with the lighting or power cables.

Protection in Working Places, Shafts, Winzes, Raises, etc.

Fencing of shafts and other openings.

- (73) The top of every shaft shall be securely fenced or protected by a gate or guard rail, and every pit or opening dangerous by reason of its depth shall be securely fenced or otherwise protected.

Guard rail at shaft and winze openings.

- (74) (a) At all shaft and winze openings on the surface and on every level, unless securely boarded off, a gate not less than four feet in height or a substantial

163.—(67). This is a revision of Regulation 6 of the old Act. The old regulation did not stipulate electrical blasting other than in shaft sinking.

The driving of long raises, blasting with safety fuse, as permitted under the old Act, introduces a hazard which, in the past has resulted in the loss of life. As a precaution against this the new regulation has been designed.

163.—(68). This is a change from regulation 20 of the old Act, in that the requirement is now made of disconnecting the cables whether firing is done by means of a blasting battery or from a power circuit. This follows usual practice and provides an additional safeguard.

163.—(69) (a). Refers to old regulation 213 (a). The requirement of a gravity operated device instead of a switch, as in the old regulation, is in line with best practice and provides additional precaution.

(b) This is a new regulation designed to overcome any chance of accident through having numerous working places fired from one firing box in the event of some accidental interconnection of the wiring systems.

163.—(70-73). Unchanged.

163.—(74) (a), (b). This refers to matters dealt with in old regulation 33. The entire clause has been rewritten in accordance with what has been found to be best practice. Clause (b) has been added to afford required protection around shaft stations. There have been several accidents one of them quite serious, during the past few years where haulage locomotives have been run into working shafts. The protection called for has been provided at the majority of the mines to which the clause is applicable.

guard rail not less than three feet or more than four feet above the floor shall be provided and kept in place except when the cage, skip or bucket is being loaded or unloaded at such level, provided that when a guard rail is used there shall be maintained in conjunction therewith a toe board constructed of four-inch by four-inch material.

- (b) Where mechanical haulage tracks lead up to any shaft or winze compartment on the surface or underground there shall be provided on such compartment a substantial gate or barricade reinforced in such manner that it shall be sufficiently strong to withstand any impact imparted thereto by collision therewith of any motor or train and such gate or barricade shall be kept in place except when the cage, skip or bucket is being loaded or unloaded at such level.

Shaft to be timbered.

- (75) Every shaft shall be properly timbered and such timbering shall be maintained within a distance of forty feet of the bottom of the shaft during sinking operations.

Protection of workmen in drifts.

- (76) Where a drift extends from a shaft in any direction on a level, a safe passage way and standing room for workmen shall be made on one or both sides of the shaft to afford protection against falling material.

Protection of men while sinking shaft.

- (77) During shaft-sinking operations no work in any other place in the shaft shall be done, nor shall any material or tools be hoisted or lowered from or to any other place in the shaft while men are at work in the bottom of the shaft unless the men so at work be adequately protected from the danger of falling material.

Securing walls of tunnels, etc.

- (78) Where the enclosing rocks are not safe every adit, tunnel, stope, or other working in which work is being carried on, or persons passing, shall be securely cased, lined or timbered, or otherwise made secure.

Raises over fifty-five degrees.

- (79) (a) All raises inclined at over fifty-five degrees from the horizontal which are to be carried up more than sixty feet shall be divided into at least two compartments, one of which shall be maintained as a ladder-way and equipped with suitable ladders. The timbering shall be maintained within a distance of twenty-five feet of the face of the raise.

163.—(75). The only change here over the requirement of regulation 35 of the old Act is the stating of the maximum distance allowable rather than leaving it open with only the qualification "reasonable distance," as in the old Act.

163.—(76). Unchanged.

163.—(77). This is a redraft of regulation 31 of the old Act.

163.—(78). Unchanged.

163.—(79) (a), (b). This refers to regulation 36 of the old Act. The old Act was vague in the first place by designating only "vertical" raises, that is, any raise however slightly off "vertical" might be assumed to be exempt from the requirements of the old regulation. This is not taken to be the intent of the old rule, but rather all raises which may be termed "steeply inclined" should be so protected.

Raises between fifty and fifty-five degrees.

- (b) All raises inclined at over fifty degrees from the horizontal but under fifty-five degrees which are to be carried up more than one hundred feet shall be divided into at least two compartments, one of which shall be maintained as a ladderway and equipped with suitable ladders in that portion at least which lies above seventy-five feet from the bottom of the raise. The timbering shall be maintained within a distance of twenty-five feet of the face of the raise.

Precautions as to broken material.

- (80) Wherever, at any mine, chutes are pulled where persons may, either at the time of pulling or some future time, be required to go out on the broken material above, sufficient precaution shall be taken to ascertain that the broken material is settling freely and where there is any indication of a hang-up the location shall be adequately protected by suitable signs or barricades and any persons working in the vicinity notified of the danger.

Top of mill hole in stope to be covered.

- (81) The top of every mill hole in a stope shall, as far as practicable, be kept covered.

Procedure before drilling.

- (82) Before drilling is commenced in any working place the exposed face shall be blown over with compressed air or water under pressure and carefully examined for misfires and sockets.

Unused workings to be tested for gas.

- (83) Underground workings, especially shafts, sumps and winzes, which have been in disuse for some time shall be examined before being again used, in order to ascertain whether foul air or other dangerous gases have accumulated there, and only such workmen as may be necessary to make such examination shall be allowed to proceed to such places until such places are in a fit state to work or travel in.

Examination of mine workings.

- (84) The owner, manager, or some authorized person or persons shall examine daily all parts of the mine where drilling and blasting is being carried on; shall examine at least once a week the other portions of a mine in which operations are being carried on, such as shafts, winzes, levels, stopes, drifts, crosscuts and raises, in order to ascertain that they are in a safe working condition; shall inspect and scale or cause to be inspected and scaled the roofs of all stopes or other working places as often as the nature of the ground and of the work performed necessitates.

163.—(80). There was no regulation in the old Act dealing with this point. In the past the drawing of men down in a cave-in of muck in stopping and raising operations has been a prolific source of fatalities and serious injury.

This clause is designed to avert, if possible, a continuation of such accidents.

163.—(81). Unchanged.

163.—(82). There was no parallel regulation to this in the old Act.

The regulation is here inserted to afford protection against drilling into missed or cut-off holes.

163.—(83). Unchanged.

163.—(84). This is old regulation 91, with the deletion of that portion of the old rule requiring the keeping of scaling records.

At most mines this requirement has been found to be impracticable and in the majority of cases has been long since discontinued.

Scaling bars
and gads.

- (85) The owner or manager shall provide and maintain an adequate supply of properly dressed scaling bars and gads and other equipment necessary for scaling.

Life lines to
be used.

- (86) The owner or manager shall, when necessary, provide life lines for the workmen and it shall be the duty of the workmen to continually wear such life lines while working in dangerous places.

Keeping
water supply
to lay dust.

- (87) Every dusty place where work is being carried on in a mine shall be adequately supplied at all times with clean water under pressure or other approved appliances for laying the dust caused by drilling or blasting operations.

Time for
blasting.

- (88) The times for blasting shall be so fixed that the workmen shall be exposed as little as practicable to dust and smoke.

Ladderways.

Ladders in
shaft.

- (89) A suitable footway or ladderway shall be provided in every shaft.

Foot ladder
or passage in
shaft to be
separated
from hoist.

- (90) The ladder or passageway in a shaft or winze shall be separated by a substantial, closely boarded partition from the compartment or division of the shaft or winze in which the material is hoisted.

Ladders and
platforms
in steeply
inclined
shafts.

- (91) In a shaft inclined at over seventy degrees from the horizontal a substantial platform shall be built at intervals not exceeding twenty feet in the ladderway, and the same shall be closely covered except for an opening large enough to permit the passage of a man's body, and the ladders shall be so placed as to cover this opening in the platform.

Ladders and
platforms
and stair-
ways in
shafts of a
low angle.

- (92) In a shaft inclined at less than seventy degrees but more than fifty degrees from the horizontal the ladders may be continuous, but platforms shall be built at intervals not exceeding twenty feet, and so covered that only an opening large enough for the passage of a man's body is provided. Stairways may be used in a shaft inclined at less than fifty degrees from the horizontal.

Wire rope
ladders.

- (93) Wire rope or strands of wire rope shall not be used or be allowed to be used for climbing purposes in any mine if they are frayed or have projecting broken wires.

163.—(85). This is a portion of old regulation 92.

The requirement "properly dressed" scaling bars and gads is inserted to prevent minor injury to workmen through cuts from ragged edges, etcetera.

163.—(86). This is the second portion of old regulation 92. No change.

163.—(87-94). Unchanged.

Hand rails
for ladders.

- (94) Every ladder shall project at least three feet above its platform, except where strong hand rails are provided.

Ladders.

Ladders.

- (95) (a) Every ladder used shall be of strong construction, shall be securely placed in any shaft, winze, raise, or stope, and shall be maintained in good repair.
- (b) The distance between centres of rungs of ladders shall not be greater than twelve inches or less than ten inches, and the spacing of rungs shall not vary more than one-half inch in any particular ladderway.
- (c) In order to give a proper foothold the rungs shall in no case be closer than four inches from the wall of a shaft, winze, or raise, or any timber underneath the ladder.

Shaft Equipment.

Raising and
lowering
material.

- (96) Where steel, timber or other material is being raised or lowered in any shaft or winze it shall be securely fastened to the shaft conveyance or hoisting rope.

When to be
lined with
lumber.

- (97) When a crosshead is not used the shaft compartment in which the bucket works shall be closely lined with sized lumber.

Safety ap-
pliances for
crossheads.

- (98) All crossheads shall be provided with a safety appliance of approved design so constructed that the crosshead cannot stick in the shaft without also stopping the bucket. Such safety appliances shall be subject to the approval of the Inspector.

Bucket or
skip not to
be filled
above level
of brim.

- (99) In a shaft or winze, in the course of sinking, the bucket or skip shall not be filled with loose rock above the level of the brim.

Bucket or
skip to be
stopped
fifteen feet
from
bottom.

- (100) In a shaft or winze, in the course of sinking, the bucket or skip shall not be lowered directly to the bottom of the shaft if there are men working there, but shall be held at least fifteen feet above the bottom, and shall remain there until the signal to lower same has been given by the men on the bottom.

Bucket to be
steadied.

- (101) No bucket shall be allowed to leave the top or bottom of any shaft or winze until the workman in charge thereof has steadied it or caused it to be steadied.

163.—(95) (a), (b), (c). This is old regulation 48, with the change that the wording in clause (a) has been altered from "fastened to" to "placed in" in conformity with practice.

163.—(96). This is old regulation 55, the only change being changing the words "fastened to the top of the shaft conveyance" to "fastened to the shaft conveyance" as having a broader and more practicable meaning.

163.—(97). There was no parallel clause to this in the old Act. The regulation is inserted in accord with common practice.

163.—(98). Unchanged.

163.—(99). The only change over old regulation 57 is the deletion of the meaningless words "or ground."

163.—(100-101). Unchanged.

Raising or Lowering Persons.

Cage or skip for raising and lowering workmen.

- (102) Whenever a mine shaft exceeds four hundred feet in vertical depth a suitable cage or skip equipped as required by Rule 104 of this section, shall be provided for lowering or raising men in the shaft.

Protection from contact with timbering, etc.

- (103) No cage shall be used for the raising or lowering of persons unless it is so constructed as to prevent any portion of the body of any person riding therein from accidentally coming into contact with the timbering or sides of the shaft or winze. Doors shall be so fitted that they cannot be accidentally opened and shall be closed when lowering or hoisting men.

Cages or skips, how to be constructed.

- (104) All cages or skips for lowering or raising men shall be constructed as follows:

Hood.

- (a) The hood shall be made of steel plate not less than three-sixteenths of an inch in thickness;

Casing.

- (b) The cage shall be provided with sheet iron or steel side casing not less than one-eighth of an inch in thickness, and not less than five feet in height, and with doors made of suitable material;

Doors.

- (c) The doors shall extend at least five feet above the bottom of the cage, and shall be closed when lowering or hoisting men;

Safety catch.

- (d) The safety appliances shall be of sufficient strength to hold the cage or skip with its maximum load at any point in the shaft, as provided in clause *b* of Rule 124 of this section; but the Chief Inspector may give permission, in writing, for hoisting, without safety appliances, if he is satisfied that the equipment is such that a maximum of safety is provided;

Operating chairs by lever.

- (e) The cage shall not have chairs attached thereto which are operated by a lever or a chain through or from the floor of the cage.

Hoisting men and material simultaneously.

- (105) No person shall travel or be permitted to travel in a bucket, cage or skip operated by an engine which is being simultaneously used for the hoisting of mineral or material, except as provided for in clause *c* of Rule 106.

163.—(102). The changes here are made in conformity with other clauses of the Bill which relate to the same subject.

163.—(103). There was no parallel clause in the old Act.

The regulation has been inserted as a general specification clause on the construction of cages, and is merely preliminary to the more detailed regulations laid down in regulation 104.

163.—(104). This refers to old regulation 53.

The changes which have been made are in conformity with modern practice, viz., the prohibition of netting, clause (b), and dropping of the requirement of hand holds, clause (d), of the old regulation.

163.—(105). Unchanged.

When persons not to be hoisted.

- (106) No person shall be lowered or hoisted, or allow himself to be lowered or hoisted, in a shaft, winze or other underground opening of a mine:

In buckets or skips.

- (a) In a bucket or skip, except that men employed in shaft sinking will be allowed to ascend and descend to and from the nearest level or other place of safety by means of the bucket or skip used for hoisting material, but there shall always be a suitable ladder in the shaft to provide an auxiliary means of escape;
- (b) In a cage or skip, except as provided in clause *a* of Rule 106 and clause *d* of Rule 104, which is not provided with a hood, dogs or other safety appliances approved by the Inspector;
- (c) In a cage, skip or bucket that is loaded with powder, steel or timber except for the purpose of handling the same;
- (d) In a cage, skip or bucket in which any material is carried, unless the same be adequately secured.

Hoisting after stoppage for repairs.

- (107) After any stoppage of hoisting for repairs and, after stoppage for any other purpose, which shall exceed two hours' duration, no person shall be raised or lowered until the cage or skip has made one complete trip up and down the working portion of the shaft.

Hoisting.

Hoisting with horse and pulley-block.

- (108) Hoisting from mine workings with horse and pulley-block is forbidden.

Brakes required.

- (109) Where hoisting is done by means of an engine an adequate brake or brakes shall be attached to the drum of the hoist and kept in proper working order.

Type of brake.

- (110) Such brakes shall be so arranged that, whether the engine is at work or at rest, they can be easily and safely manipulated by the hoistman when standing at the levers controlling the engine. No hoist used for the raising or lowering of persons, or used in shaft sinking, shall be equipped with a brake or brakes operated by means of the hoistman's foot unless such brake is an auxiliary electrical device. The adjustments of the brake or brakes shall be maintained in

163.—(106). This is regulation 50 of the old Act, with the addition of clause (d). This is adopted to permit men to be carried along with their necessary tools or in other like instances, but specifies the precaution which must be taken in such circumstances.

163.—(107-112). Unchanged.

such condition that when the normal power of the brake or brakes is applied the brake lever will still have a clearance between itself and the ends of the quadrant in which it works.

Locking
gear.

- (111) The operating gear of the clutch of the drum shall be provided with locking gear to prevent inadvertent withdrawal of the clutch.

Locking
devices.

- (112) Such bolts and other fittings of the drums, brakes and clutches as might be a source of danger in the event of their becoming loosened shall be rendered secure by means of suitable locking devices.

- (113) All electric hoists fitted with mechanically operated brakes shall be so installed that:

Automatic
brakes.

- (a) the mechanically operated brakes will be applied automatically the moment the power supply fails;

Circuit
breaker.

- (b) in case of a heavy overload, such as would be caused by the shaft conveyance leaving the rails or becoming jammed in the shaft, a circuit breaker will cut off the power and thus allow the mechanically operated brakes to come into play;

Overwind
device.

- (c) a suitable overwind device, which can be set to engage shaft conveyance at any point in the head-frame, will cut off the current, in case of an overwind past this point, and thus allow the mechanically operated brakes to come into play. In default of a device of this nature the hoist shall be equipped with some other form of satisfactory and dependable overwind device. Such devices shall be tested out by the hoist man at least once a week;

Brakes
operated
by mechanical
means.

- (d) the brakes shall, on failure of the power supply, be put into play by mechanical means, preferably gravity, and shall in no case be operated by an auxiliary electric current;

Interlock.

- (e) the brake and clutch operating gear shall be so interlocked that it shall not be possible to release the brake while the clutch of the corresponding drum is disengaged.

163.—(113). This is regulation 215 of the old Act, with the addition of clause (e), requiring an interlock between the brake and clutch mechanisms to prevent accident through a hoistman losing control of an unclutched drum while lowering.

Most modern hoists are equipped in this manner and it is usually a very easy matter to arrange for this protection on older hoists which were not so equipped when first installed.

The wording of clause (c) has been changed, now requiring a weekly test of such overwind devices rather than a test every shift as was the requirement of the old Act.

Brakes to
be tested.

- (114) The operator of a hoisting engine shall not, after going on shift, unclutch a drum of his engine until he has assured himself immediately beforehand, by testing the brake of the drum against the normal starting power of the engine, or in case of an electric hoist against the normal starting current, that the brake is in proper condition to hold the load suspended from said drum.

Friction
clutches.

- (115) When the hoisting engines are fitted with friction clutches, the operator, after going on shift, shall, when clutching in, test the holding power of the clutch before releasing the brake of the corresponding drum, the brake of the other drum being kept off. In case of a steam or air hoist, the test shall be made against the normal starting power of the engine, and in case of an electric hoist against the normal starting current.

Use of
brake when
drum un-
clutched.

- (116) When the drum of a hoist is unclutched, the brake of such drum shall be used only for the purpose of maintaining such drum in a stationery position and no lowering shall be done from an unclutched drum.

Auxiliary
brake
required.

- (117) In case of non-reversible steam or air hoists and single-drum electric hoists, not used in balanced hoisting, an adequate auxiliary brake shall be installed before the same shall be used for hoisting or lowering men, but non-reversible steam or air hoists with throttle-controlled exhaust shall not require such auxiliary brake.

Indicator
required.

- (118) Every hoisting engine shall, in addition to any marks on the rope, be provided with a reliable depth indicator, which will clearly and accurately show to the operator at all times:

(a) the position of the bucket, cage or skip;

(b) at what positions in the shaft a change of gradient necessitates reduction in speed;

Exemption.

but this rule shall not apply to hoisting engines used in sinking operations when the hoistman has an unobstructed view of the landing station and the distance from the landing station to the bottom of shaft does not exceed three hundred feet.

Operation of
indicator.

- (119) An indicator shall not be operated by a chain and sprocket arrangement but shall be driven by a suitable train of gears from its corresponding drum of the hoist.

163.—(114-115). Unchanged.

163.—(116). There was no parallel clause in the old Act. The adoption of the clause here follows good practice.

In regulation 113 of the Bill it is required that all electrical hoists with mechanically operated brakes shall be equipped in such manner that it will be impossible to lower from an unclutched drum.

This clause governs the operation of all types of clutched hoists where it may not be so easy to make it mechanically impossible to operate in an improper manner.

163.—(117-118). Unchanged.

163.—(119). There was no parallel clause in the old Act. The insertion of the clause here is in accord with best practice.

There have been several accidents and near accidents in the past caused by an indicator chain on a hoist breaking or jumping off its sprocket. With gear-driven indicators this hazard is completely removed.

Warning
signal.

- (120) In every shaft exceeding six hundred feet in depth adequate provision shall be made whereby the hoistman is warned of the arrival of the bucket, cage or skip at a point in the shaft, the distance of which from the top landing place is not less than the equivalent of three revolutions of the drum of the hoisting engine.

Slipping
of rope on
drums.

- (121) On the drum of every machine used for lowering or raising persons there shall be such flanges or horns, and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope or cable from slipping off.

Connections
between rope
and bucket,
etc.

- (122) The connection between the hoisting rope and the bucket, counterweight, cage, skip or other means of conveyance shall be of such a nature, that the risk of accidental disconnection is reduced to a minimum.

Examination
of hoisting
equipment
required.

- (123) The owner or manager of a mine, where a hoisting engine is in use, shall depute some competent persons or persons whose duty it shall be to examine at least once in each week the sheave wheels, the hoisting rope and the attachments thereof to the drums and to the counterweights, buckets, cages or skips, the brakes and depth indicators and the buckets, counterweights, cages and skips and any safety catches attached thereto; the guides and hoisting compartments generally and the signalling arrangements; and the external parts of the hoisting engine.

Examination
of cables.

- (124) Such owner or manager shall also depute a competent person or persons who shall examine,—

(a) at least one in each month the structure of the hoisting ropes with a view to ascertaining the deterioration thereof and for the purposes of this examination the rope must be thoroughly cleaned at points to be selected by said person or persons, who shall note any reduction in the circumference of, and the proportion of wear in, the rope;

Safety
appliances to
be tested
monthly.

(b) at least once a month the safety appliances of the cages or other shaft conveyances, so equipped, by testing same under load conditions; such test to consist of releasing the cage suddenly, in some suitable manner, so

163.—(120-121). Unchanged.

163.—(122). This refers to regulation 77 of the old Act, the change being the addition of the word "counterweight" in order to clearly indicate that the cable on a counterweight is required to have the same attention as any other hoisting rope.

163.—(123). This refers to regulation 60 of the old Act, the change being the inclusion of counterweights for the same purpose as mentioned in regulation 122.

163.—(124). The only change in the wording of the Bill over regulation 61 of the old Act is the addition, in the second line, of the words "or persons" in accord with necessary practice at the larger mines.

that the safety catches shall have opportunity to grip the guides; and in case the safety catches do not act satisfactorily, the cage or other shaft conveyance shall not be used further for hoisting men until the safety catches have been repaired and been proved to act satisfactorily."

Defects to be remedied at once.

- (125) If, on any examination, as is hereinbefore required there is discovered any weakness or defect by which the safety of persons may be endangered, any such weakness or defect shall be immediately reported to the owner or manager or person in charge, and until such weakness or defect is remedied the hoisting plant shall not be used.

Machinery Record Book to be provided.

- (126) Such owner or manager shall keep or cause to be kept at the mine a book to be termed the "Machinery Record Book," in which shall be recorded a true report of every such examination as is hereinbefore referred to, signed by the person making the examination.

History of rope necessary.

- (127) No hoisting rope which has previously been in use in any place beyond the control of the owner or manager shall be put on anew except with the permission of the Inspector.

Hoisting rope not to be spliced.

- (128) In no case shall a rope which has been spliced be used for hoisting purposes.

Length of ropes required on drum when skip is at the bottom.

- (129) In case of hoisting engines there shall be not less than three rounds of rope upon the drum when the bucket, cage or skip is at the lowest point in the shaft or winze from which hoisting is effected. The end of the rope shall be properly fastened around the shaft or to the spider of the drum.

Hoisting both men and materials.

- (130) In case a hoisting rope is used both for the raising and lowering of men and materials, the weight attached to the rope in the former case, when the bucket, cage or skip is bearing its authorized load shall not exceed eighty-five per centum of the maximum allowable weight when the rope is in use for other purposes.

Rope certificate necessary.

- (131) (a) No hoisting rope shall be used which is not accompanied by a certificate from the manufacturer giving the following information: name and address of manufacturer, coil or reel number, date of

163.—(125-127). Unchanged.

163.—(128). This refers to regulation 71 of the old Act.

The clause in the old Act was poorly worded in that it would appear to make permissible the use of any spliced rope except one from which a defective portion had been cut. The intent of the regulation, of course, is to prohibit the use of *any* spliced rope.

163.—(129). This refers to regulation 64 of the old Act.

The specified mode of attaching the drum end of the rope is altered in the wording of the Bill in conformity with best practice.

163.—(130). Unchanged.

163.—(131). Recognizing the major importance of the proper installation and adequate supervision over all hoisting appliances the regulations of *The Ontario Mining Act* deal very specifically with all such matters.

Regulation (66) of the old Act specified that certain structural specifications of every hoisting rope be set out in a certificate from the rope manufacturer and that a record of this be posted in the Rope Record Book at every mine.

manufacture, diameter and circumference of the rope in inches, weight per foot in pounds, number of strands, class of core, number of wires in strand, diameter of wires in decimals of an inch, breaking stress of steel of which the wire is made, in tons per square inch, estimated or actual breaking load of rope, length of rope.

- (b) The foregoing data along with the additional following information shall be entered in a book known as the "Rope Record Book," and duplicate copies forwarded to the Chief Inspector when a hoisting rope is newly put on: date of purchase, date on which put on, identification number (where used) of the rope, name of shaft or winze and compartment in which the rope is used, weight of shaft conveyance, weight of material carried, weight of maximum length of rope in service, static factor of safety.
- (c) There shall be kept in the Rope Record Book a history of the hoisting rope, outlining the date on which the rope was put on, certification of trial trips and examinations required by Rule 132, date of shortening, dates and summaries of breaking tests, date taken off.
- (d) The Rope Record Book shall always be open for inspection by the Inspector.
- (e) When a hoisting rope is taken out of service, notice to that effect shall be forwarded to the Chief Inspector, giving the date and reasons for discarding along with such other information as he may require.

Examination
of attach-
ments.

- (132) A hoisting rope when newly put on, and after any subsequent cutting thereof, shall have the connecting attachments between the bucket, cage, skip, or counterweight and the rope carefully examined by some competent and reliable person or persons authorized by the owner, manager, or department head, and shall not be used for ordinary transport of persons in any shaft or winze until two complete trips up and down the working portions of such shaft or winze have been made, the bucket, cage, skip or counterweight bearing its authorized load. The result of such examination shall be recorded in the Rope Record Book.

Factor of
safety of
hoisting
rope.

- (133) The factor of safety of all hoisting ropes when newly installed in shafts less than two thousand feet in depth shall in no case be less than six, and in shafts -

The new regulation amplifies this, in that not only are the structural characteristics of the rope so recorded but also a statement of the main operating conditions under which the rope is used and further that copies of these details be forwarded to the Chief Inspector of Mines.

This last requirement is for the purpose of maintaining closer supervision over such matters by the Inspection Branch of the Department of Mines and also to more readily correlate the work of the Rope Testing Laboratory of the Department of Mines with the actual working conditions under which the ropes are used.

163.—(132). This is substantially the same as regulation 67 of the old Act, the only change being that the required examination may be made by reliable and authorized person or persons, and in the addition of the word "counterweight" to more clearly indicate that counterweight cables require the same attention as any other hoisting cable.

163.—(133-134). Unchanged.

over two thousand feet in depth and less than three thousand feet in depth shall not be less than five. The factor of safety shall be calculated by dividing the breaking strength of the rope as given in the manufacturer's certificate by the sum of the maximum load to be hoisted plus the total weight of the rope in the shaft when fully let out:

(a) No hoisting rope shall be used for the raising or lowering of men when its factor of safety based on its existing strength and dead load shall have fallen below 4.5.

(b) No hoisting rope shall be used for the raising or lowering of men when the number of broken wires in one lay of said rope exceeds six, or when marked corrosion appears.

Rope
dressing.

(134) Every hoisting rope shall be treated with a suitable rope compound as often as necessary and at least once in every month.

Testing
portion of
rope.

(135) At least once in every six months the hoisting rope shall have a portion not less than six feet in length cut off the lower end. The length so cut off shall have the ends adequately fastened with binding wire to prevent the disturbance of the strands and shall be sent to a reliable testing laboratory for a breaking test. The certificate of such test shall be kept on file and a summary thereof recorded in the Rope Record Book.

Cleaning and
examination
of rope
connection.

(136) At the periodical cutting of the rope the connection between the rope and the bucket, cage, or skip shall be thoroughly cleaned and carefully examined.

Head
sheaves.

(137) Head sheaves shall be of such diameter as shall be suited to the rope in use.

Counter-
weights.

(138) Wherever a counterweight is used in a shaft it shall operate in a separate and safely enclosed compartment. The cable from the counterweight shall be attached to the drum of the hoist and not to the cage or skip.

Signals.

Signalling.

(139) Every working shaft which exceeds fifty feet in depth shall be provided with some suitable means of communicating by distinct and definite signals from

163.—(135). This refers to regulation 68 of the old Act.

The requirements of the old Act, however, permitted the use of a hoisting rope for an initial period of one year before a breaking test was made. It has been found in practice that a large number of ropes become defective inside of twelve months and in order to have a better check on the condition of the ropes in use, it is being required in this regulation that all ropes be tested after six months' use.

Some of the larger companies already follow this practice.

163.—(136). This refers to regulation 69 of the old Act.

It is felt that the requirement of annealing introduces an element of risk unless the annealing is very carefully done. Many of the smaller mines are not equipped for this class of work, nor have they the skilled men necessary to do a reliable job; hence the new clause is felt to give a greater degree of protection without the introduction of what might be an extra hazard.

163.—(137). Unchanged.

163.—(138). This refers to regulation 79 of the old Act. The new clause is designed to prohibit the use of a counterweight system whereby the counterweight is attached to the cage or skip by a cable passing over a sheave or sheaves between the cage and skip or counterweight.

Several systems of this kind have been installed at various times at different mines and have been a source of accidents, none of which, fortunately, have been serious, but any one of which might have very easily resulted in a nasty accident.

By insisting that the counterweight cable be wound on a drum of the hoist it at least comes under the hoistman's observation with the likelihood that any sign of trouble would be detected by him before the situation became as serious as might be the case were this not possible.

the bottom of the shaft and from every level for the time being in work between the surface and the bottom of the shaft, to the hoist room.

Electrical
signal sys-
tems.

- (140) Where an electrical signal system is installed the system shall be so arranged that the hoistman may return the signal to the person giving the signal when men are being hoisted or lowered.

Code of
signals.

- (141) All methods of signalling in a mine shall be printed and posted up in the engine house or hoist house and also at the top of the shaft and at the entrance of each level.

The following code of mine signals shall be used at every mine:

Code of Mine Signals.

- 1 bell Stop immediately—if in motion.
 1 bell Hoist.
 2 bells Lower.
 3 bells Men about to ascend or descend. The 3-bell signal must be given before men enter the cage. When the hoistman receives this signal, he must not move cage for ten seconds after he has received the balance of the signal. In case he is unable to act within one minute of the time he has received the signal, he shall not move hoist until he receives fresh signal. When the hoistman receives a 3-bell signal he shall remain at his levers until the full signal has been received and the act of hoisting or lowering completed.
 4 bells Blasting signal. Hoistman must answer by raising bucket, skip or cage a few feet and letting it back slowly, then one bell, hoist men away from blast.
 9 bells Danger signal in case of fire or other danger. Then ring number of station where danger exists.

Special
signals.

- (142) Special signals, in addition to the above, may be used at any mine provided they are easily distinguishable by their sound or otherwise from the foregoing code and do not interfere with it in any way and have been approved by the Chief Inspector.

Again, by using this system there is less chance of the counterweight cable not receiving a proper examination. Again, in the prohibited type of installation there was always the possibility of the effectiveness of the cage safety appliances being considerably reduced.

163.—(139). The only change in this clause over regulation 97 of the old Act is the omission of the written permission of the Inspector. This point is already covered in section 162 of the Bill.

163.—(140). There was no similar clause in the old Act.

The type of installation asked for in this regulation is already largely adopted at the mines and the regulation is inserted simply in line with good practice. It also is a distinct safety feature.

163.—(141). The only change in this regulation over regulation 98 of the old Act is the use of the word "hoistman" instead of "engineer," in the clause relating to "4 bells." This wording is adopted in conformity with the term used everywhere else in the regulations.

163.—(142). This is a slightly amplified version of the last portion of regulation 98 of the old Act and is identical with the wording of the clause dealing with the matter in the South African Act.

The idea behind the clause is to have the special signals, by which are usually meant the signals given to designate the level to which the shaft conveyance is to be moved, so drawn up that they do not contain the same group of signals as laid down for the special purposes defined in the legal code. This is to remove any chance of misunderstanding on the part of the hoistman as to the significance of any given signal and hence create safer operation.

Signal to be given only by authorized person.

- (143) No person, unless duly authorized, shall give any signal for moving or stopping the bucket, cage or skip. No signal shall be given unless the bucket, cage or skip is at the level from which the signal is to be given. No unauthorized person shall give any signal, other than the danger signal, or in any way whatsoever interfere with the signalling arrangements.

Notices to be posted showing number of men permitted to ride.

- (144) A notice showing clearly the number of persons allowed to ride on, and the weight of materials allowed to be loaded on the cage or skip shall be posted at the collar of the shaft. The person authorized to give signals will be held responsible for observance of such notice. No person shall offer obstruction to the enforcement of such notice.

Haulage.

Riding on loaded cars, etc.

- (145) No person shall ride upon or against any loaded car in any level, drift or tunnel in or about any mine. In mechanical haulage this shall not apply to train crews.

Clearance between cars and sides of level.

- (146) On every level on which mechanical haulage is employed, a clearance of at least eighteen inches shall be maintained between the sides of the level and the cars, or there shall be a clearance of twenty-four inches on one side, or safety stations shall be cut every one hundred feet.

Control levers.

- (147) Control levers of storage and trolley locomotives shall be so arranged that the lever cannot accidentally be removed when power is on.

Protection from Machinery.

Fly-wheel, geared-wheel, etc.

- (148) Every fly-wheel, geared-wheel, bull-wheel, pulley or belt, and every opening through which any wheel or belt operates, shall be enclosed with a substantial railing or casing, unless situated in such a manner or location as to prevent any person coming into accidental contact therewith.

Uneven projections to be covered.

- (149) Every key, bolt, set-screw, and every part of any wheel or other revolving machinery which projects unevenly from the surface shall be covered, unless situated in such a manner or location as to prevent any person coming into accidental contact therewith.

163.—(143-145). Unchanged.

163.—(146). This regulation offers an alternative to the requirement of regulation 90 of the old Act, which asked for a clearance of 18 inches on both sides of the cars.

It is usually the case that where a mine outgrows its hand tramping days, it is practically impossible, or at the best very difficult and exceedingly expensive, to provide the called-for clearance on old levels on which hand tramping has been replaced by motor haulage.

It is felt that the alternative measures laid down here will provide equal protection in a much more feasible manner.

163.—(147). There was no similar clause to this in the old Act.

This clause follows general safety instructions which have been insisted on of late years by the Inspectors following a very serious accident where a haulage motor got out of control by reason of the control lever becoming detached while the motor was in operation.

163.—(148). This refers to regulation 101 of the old Act. The regulation has been reworded to contain the common sense qualification pointing out places where the called-for installation is decidedly unnecessary.

163.—(149). This refers to regulation 102 of the old Act, the changes having been made for the same reason as mentioned in dealing with regulation 148 above.

Grinding
wheels to be
guarded.

- (150) Every power-driven grinding wheel shall be provided with a hooded guard of sufficient strength to withstand the shock of a bursting wheel. This guard shall be adjusted close to the wheel and extend forward, over top of the wheel, to a point at least thirty degrees beyond a vertical line drawn through the centre of the wheel.

Wearing
loose
clothing.

- (151) Persons engaged in dangerous proximity to moving machinery shall not wear or be allowed to wear loose outer clothing.

Runway to
have hand-
railing.

- (152) Every runway or staging more than five feet from the floor and used for oiling or other purposes shall be provided with a hand railing.

Protection of
entrances.

- (153) Every entrance to any elevator, hatchway, or well-hole shall be provided with a suitable trap-door, guard-rail, or automatically closing gate.

Counter-
weights.

- (154) Every counterweight shall be so situated or guarded that injury to any person would not be probable should it become detached from its fastenings.

Frogs in
tracks.

- (155) Every frog in a track, either above or below ground, on which cars are moved by mechanical power shall have a guard block of wood or iron.

Gongs, etc.,
on hauling,
engines.

- (156) Every locomotive, engine, trolley or motor car used for hauling material, either above or below ground, shall be equipped with a gong, bell or whistle, which shall be sounded when starting and at such other times as warning of danger may be required.

Boilers.

Steam
boilers.

- (157) Every steam boiler used for generating steam in or about a mine shall, whether separate or one of a range,—

Safety
valves.

- (a) have attached to it a proper safety-valve, and also a proper steam-gauge and water-gauge, to show respectively the pressure of steam and the height of water in each boiler;

Boiler in-
spection.

- (b) be inspected by an Ontario Government boiler inspector or by an inspector of a boiler insurance company at least once in every twelve months; and a certified copy of the report of the inspection shall be forwarded to the Inspector within seven days.

163.—(150). The wording has been slightly changed in conformity with the general style of the Bill.

163.—(151). Unchanged.

163.—(152). The wording of this regulation has been slightly changed to clarify its meaning.

163.—(153-186). Unchanged.

**Mainten-
ance.**

- (158) Every such boiler, safety-valve, steam-gauge and water-gauge shall be maintained in proper working condition.

*Sand and Gravel Pits.***Under-
mining
forbidden.**

- (159) In open-pit workings of sand and gravel the method of removing material by undermining shall not be allowed. No vertical working place shall have a height of more than ten feet; where the thickness of material to be excavated exceeds ten feet in depth, the work shall be done in terraces, or at an angle of safety. This rule shall not apply to pits where the material is excavated solely by mechanical means.

*Metallurgical Works.***Guard rails
at track
approaches.**

- (160) Guard rails shall be placed at the approach to railway tracks, where the view of such tracks is obstructed in one or both directions.

Ventilation.

- (161) At all furnaces of the hand-filled type the room at the furnace top where workmen are engaged shall be adequately ventilated, and there shall be provided and maintained in good order a stairway equipped with hand-rail, from the top of the furnace to the ground level below, affording a safe means of exit in case of danger from any cause.

**Protecting
workmen.**

- (162) Whenever it is necessary for a workman to go up on the bustle pipe for any purpose, he shall first notify the furnace keeper or some other responsible person, whose duty it shall be to remain on watch during the period the workman is engaged on the bustle pipe.

**Protection
from bustle
pipes.**

- (163) All bustle pipes shall be provided with safe working platforms, equipped with hand-rails, at least three feet six inches in height, and wherever practicable the platform shall not rest directly on the bustle pipe, but be supported on angle bars, so that the floor plate will not become sufficiently hot to cause burns to a workman falling on it. Access to the platform shall be by stairway provided with hand-rails.

**Guarding
workmen on
top of
furnace.**

- (164) Whenever it becomes necessary for a workman to go on top of the furnace for oiling, cleaning, or other duty, he shall notify the foreman or other responsible person, who shall see that not less than two men go on top for any purpose. It shall be the

duty of one workman to act as watcher and to give the alarm to the stock house, cast house, or bell operator, and render every possible assistance in case of danger from gassing or other causes.

Life lines.

- (165) Life lines and belts in good order shall be provided and kept in some secure and readily accessible place for immediate use in case it becomes necessary to rescue a workman from the top rigging, and also for use by any workman whose duties require him to work in an atmosphere which is liable to become dangerous by reason of the presence of noxious gases.

Shields for protection against burning.

- (166) Workmen employed at metallurgical works shall be supplied with suitable shields and appliances to protect them as far as possible from being burned with molten material.

Line of communication.

- (167) A proper and adequate line of communication by telephone, gong or other mechanical means shall be maintained between the furnace top and all other dangerous places, and the cast house, skip operator's room, or other place where workmen are continuously on duty.

Stairways protected.

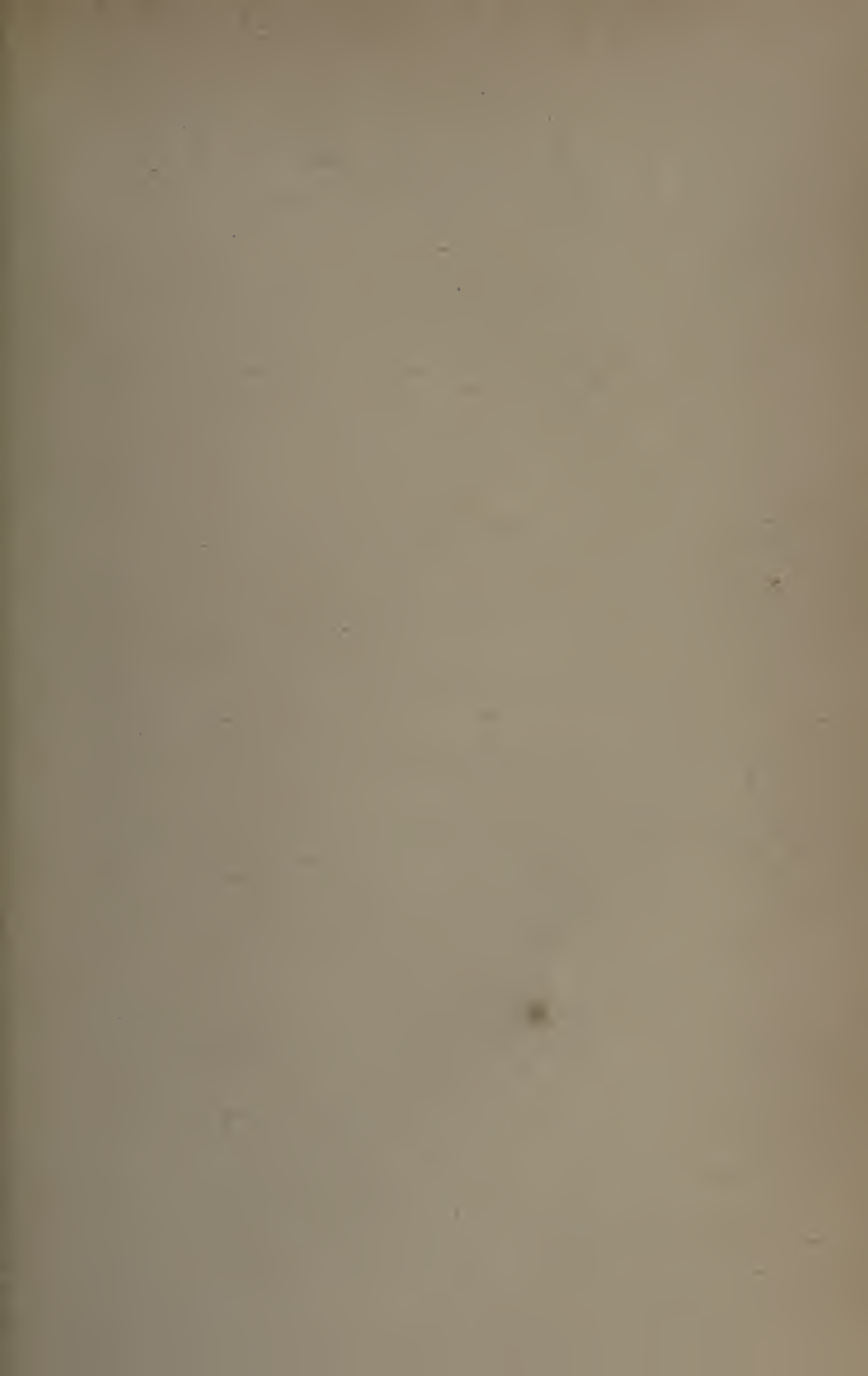
- (168) All stairways shall be inclined at an angle not greater than fifty degrees from the horizontal, and provided with landings or turn-outs, at intervals of twenty-five feet, so that it will not be possible for a workman to fall from the top to the foundation landing below.

Supervision of hazardous work.

- (169) Every foreman shall personally supervise or appoint a competent assistant to supervise any work around the furnace involving unusual accident hazard, such as work in gas mains or cleaners, tearing out linings, work in the cast house, about the stoves when blowing in or blowing out, and any work about the bells or stock line. He shall also, when the furnace is known to be hanging and liable to slip, see that no workman is allowed on top for any purpose.

Inspection of stock piles.

- (170) Stock piles of ore, limestone, coke or other material shall be inspected daily by some authorized person whose duty it shall be to see that they are in a safe working condition.



Protection
around bell.

- (171) Whenever ore becomes frozen in the hopper and workmen are required to bar the same into the furnace, a proper guard-rail shall be provided to prevent workmen slipping on to the bell, and all workmen so engaged shall be equipped with belt and life line.

Rescue
apparatus.

- (172) There shall be maintained at all blast furnaces in a readily accessible place breathing apparatus and portable resuscitating apparatus of approved type, with an adequate supply of oxygen and absorbent material. There shall always be on duty in each working shift a workman or workmen appointed by the superintendent and trained in the use of breathing and resuscitating apparatus.

Cranes and Elevators.

Age of
elevator
operator.

- (173) No person under the age of eighteen years shall be allowed to operate an elevator.

Age of crane
operator.

- (174) No person under the age of eighteen years shall be allowed to operate a crane.

Over-
winding
devices.

- (175) Every crane shall be equipped with suitable devices to prevent overwinding.

Rules for
crane ropes.

- (176) All hoisting ropes used on cranes shall be subject to the same rules as are laid down for hoisting ropes at mines.

Daily exam-
ination of
cranes.

- (177) The owner or manager shall depute some qualified person or persons to examine daily such parts of the cranes or apparatus pertaining thereto upon the proper working of which the safety of persons depends. A record of such examinations shall be kept.

Folding
gates.

- (178) Every entrance to a hoistway shall be provided with a substantial door or doors or gate or gates at least six feet in height. All folding gates over three feet wide shall have top, bottom and centre braces.

Lighting.

- (179) Every hoistway landing and place where machinery is erected shall be well lighted.

Guarding
hoistway.

- (180) When a hoistway is not enclosed in walls, access to the hoistway by means of an adjacent stairway, platform or floor, which is not an authorized landing, shall be prevented by means of a partition to a height of at least six feet.

- Guide rails. (181) All guide rails for cars and counterweights shall be of substantial construction, and shall be securely fastened to the sides of the hoistway, and the bottom ends shall rest on a secure foundation, and be firmly fixed in that position.
- Clearance for car. (182) On every elevator hereafter installed a clear space of not less than three feet shall be provided between the bottom of the hoistway and the lowest point of the car when the car is at its lowest landing, and between the top of the car and the sheave when the car is at its top landing, and also between the top of the counterweight and the sheave when the car is at its lowest landing.
- Automatic safety devices. (183) Every elevator shall be provided with automatic devices at the top and bottom of the travel of a car in the hoistway, so arranged that the car will be stopped before it has travelled two feet above the top landing, or two feet below the bottom landing, and all drum hoists shall, in addition, be fitted with automatic stop motions to prevent overwinding.
- Protecting counterweights. (184) All counterweights shall have their sections strongly bolted together, and shall be so situated that they cannot fall upon any part of the elevator or machinery, and shall be suspended in their guides in such a manner that they will run freely without danger of being detached. Where counterweights run in the same hoistway as the car they shall be protected with a substantial screen of iron or steel from top of guides to a point fifteen feet below.
- Protection on elevator. (185) Every elevator on which any person travels shall be provided with side casing, and shall have a door or doors extending at least five feet above the bottom of the elevator, and the top shall be covered with suitable protective roofing.
- Safety catches. (186) Every elevator on which any person travels shall be provided with efficient safety catches capable of holding the elevator and twice the maximum load in any position in the hoistway. When the safety catches are operated through shafts, all the levers and safety catches shall be keyed to the shafts.

Rules Governing Use of Electricity.

(187) In these Rules,—

"Cut-out,"

(a) "Cut-out" shall mean any device, such as a fuse or circuit-breaker, by which the electrical con-

163.—(187). Under the old Act these electrical definitions were inserted more or less as a head note to the general rules governing the use of electricity.

tinuity of a conductor may be automatically broken by changes in current or voltage;

"Disconnector."

- (b) "Disconnector" shall mean a switch which is intended to open a circuit only after the load has been thrown off by some other means;

"Electrical Supply Station."

- (c) "Electrical Supply Station" shall mean any building, room or separate space within which is located electrical supply equipment and which is accessible, as a rule, only to properly qualified persons, and shall include generating stations and substations and generator, storage battery and transformer rooms;

"Grounded."

- (d) "Grounded" shall mean connected to earth or to some extended conducting body which serves instead of earth, and this ground connection may be at one or more points;

"Panel-board."

- (e) "Panel board" shall mean a single panel containing busses, fuses and switches to control lights, and devices of small individual as well as aggregate capacity, placed in or against a wall or partition and accessible only from the front;

"Reconstruction."

- (f) "Reconstruction" shall mean replacement of any portion of an existing installation by new equipment or construction, but does not include ordinary maintenance replacements;

"Switch."

- (g) "Switch" shall mean a device for opening or closing or changing the connections of a circuit manually, and in these Rules a "switch" is always to be understood as operated manually, unless otherwise stated;

"Switch-board."

- (h) "Switchboard" shall mean a large single panel or assembly of panels on which are mounted switches, fuses, busses and usually instruments, and accessible both in front and in rear. Circuits and machinery of relatively large capacity are controlled from such boards;

"Utilization Equipment."

- (i) "Utilization Equipment" shall mean equipment, devices and connected wiring, which utilize electrical energy for mechanical, chemical, lighting, testing or similar purposes and are not a part of supply equipment;

As they appear in the Bill they have been given the status of a regulation under the Act. Slight changes in sequence and wording have been made in conformity with the general style of the Bill.

"Voltage,"
"Volts,"
"Voltage to
Ground."

- (j) "Voltage" or "Volts" shall mean the highest effective voltage between the conductors of the circuit concerned, except that in grounded multiwire circuits, not exceeding 750 volts between outer conductors, it means the highest effective voltage between any wire of the circuit and the ground, and in ungrounded, low-voltage circuits "voltage to ground" shall mean the voltage of the circuit;

Wire gauge.

- (k) "Wire gauge" shall mean the standard known as Brown and Sharpe (B. & S.).

General Rules.

Competent
person in
charge.

- (188) Where electrical apparatus or machinery is used at any mine it shall be in charge of an authorized person, who shall be qualified by experience to handle such apparatus or machinery. Every person operating or having charge of electrical apparatus shall have been instructed in his duty and shall be competent for the work that he is set to do. Repairs, extensions and changes shall be made to existing electrical equipment and conductors only by authorized persons.

Supply
stations to
be inaccessible to unauthorized persons.

- (189) No person, other than the person authorized by the owner, manager, or superintendent, shall enter an electrical supply station or interfere with the workings of any machine, transformer, motor, or apparatus connected therewith, and when the authorized person is not present the door of such room shall be kept securely locked.

General requirements.

- (190) All electrical equipment shall be of such construction and so installed and maintained as to reduce the life and fire hazard as far as practicable.

Inspection
and repairs.

- (191) Electrical equipment shall comply with these rules when placed in service, and shall thereafter be periodically inspected and, when necessary, cleaned. Defective equipment shall be put in good order or permanently disconnected. Defective wiring shall be repaired or removed.

Exceptions.

- (192) Electrical utilization equipment as well as generating equipment, if enclosed in a separate room which is inaccessible to unauthorized persons, and when in service is under the control of a qualified electrical operator whose attention is not distracted by other

163.—(188-195). Unchanged.

processes, shall be considered as electrical supply station equipment, and such exceptions as are made to the general rules for supply stations shall apply to these installations.

Identification of equipment.

- (193) All electrical equipment shall be suitably identified where necessary for safety. The voltage and intended use shall be shown, where important.

General Grounding Rules.

Circuits to be grounded.

- (194) All circuits not over 150 volts shall be grounded if exposed to leakage from higher voltage circuits either through overhead construction or through transformers having primary voltage exceeding 750 volts. Three-wire single-phase circuits and three-wire direct-current circuits not exceeding 300 volts between outer conductors shall have the neutral grounded.

Equipment to be grounded.

- (195) Electrical equipment shall, when practicable, have the exposed non-current-carrying parts, such as frames of motors, generators, switchboards, cases of transformers, oil switches and instruments and casings or wiring and conductors, permanently grounded:

(a) For all equipment over 150 volts;

(b) For all equipment where metal parts are within reach of exposed grounded surfaces, such as metal frames of other machines, plumbing fixtures, conducting floors or walls (such as damp wood, concrete or rock underground). Grounded surfaces within five feet horizontally of the parts considered, or within eight feet vertically of the floor, shall be considered within reach.

Equipment and wire runways.

- (196) The point at which the ground conductor is attached to the equipment or wire runways, shall be readily accessible.

Material and continuity of ground conductor.

- (197) The ground conductor shall be of copper or other metal which will not corrode excessively under the existing conditions and, if practicable, shall be continuous. Ground connections from circuits shall not be made to jointed piping within buildings, except that water or air piping beyond any point which is liable to disconnection may be used.

163.—(196). The wording has been slightly changed in conformity with the general style of the Bill.

163.—(197-198). Unchanged.

Size of
ground
conductor.

(198) For grounding circuits the ground conductors shall have a carrying capacity equal to that of the circuit and must never be less than No. 6, B. and S.

(199) For electrical equipment the current-carrying capacity of a ground conductor shall not be less than that provided by a copper wire of the size indicated in the following table. When there is no cut-out protecting the equipment, the size of the ground wire shall be determined by the design and the operating conditions of the circuit.

Capacity of nearest automatic cut-out	Required size ground conductor B. & S. gage.
0 to 200 amperes	6
201 to 500 amperes	4
Over 500 amperes	2

(200) In portable cord to portable equipment protected by fuses not greater than ten ampere capacity, No. 16 ground wire may be used.

Protecting
ground wire.

(201) Ground conductors shall have mechanical protection and insulating guards extending for a distance of not less than eight feet above any ground, platform or floor. If attached to buildings ground conductors shall be supported on insulators and shall be protected by porcelain bushings through floors, partitions or walls.

Character of
ground.

(202) Main water or air lines may be used for grounds, provided that connection is made at a point where the pipe is not liable to disconnection for alteration or repairs. Main water or air lines may be substantially bound together for this purpose, but shall, unless connected to a buried piping system of considerable extent, be connected to an artificial ground.

Method of
connection.

(203) The ground connection to metallic piping systems shall be made by sweating a ground wire into a lug attached to a suitable clamp and firmly bolting the clamp to the pipe, after all rust and scale have been removed, or by any other equivalent method.

Artificial
grounds.

(204) Artificial grounds shall be located, where practicable, below the permanent moisture level, or failing this at least six feet deep. Each ground shall present not less than four square feet of surface to the exterior soil. Areas where ground water level is close to the surface shall be used where available.

163.—(199). This refers to regulation 157 (b) of the old Act. The capacity of the minimum size of ground conductor has been increased from No. 14 to No. 6 B. & S. to give greater mechanical strength.

163.—(200-209). Unchanged.

Where
separate
ground
conductors
required,

- (205) Ground conductors shall be run separately to the ground (or to a sufficiently heavy grounding bus or system ground cable which is connected to ground at more than one place) from equipment and circuits of each of the following classes: (1) lightning arresters; (2) secondaries connected to low-voltage lighting or power circuits; (3) secondaries of current and potential transformers and cases of instruments on these secondaries; (4) equipment operating in excess of 750 volts; (5) frames of utilization equipment or wire runways other than covered by item (4).

Lightning
arrester
grounds.

- (206) Lightning arrester ground connections shall not be made to the same artificial ground (driven pipe or buried plate) as circuits or equipment, but shall be well spaced, and, where practicable, at least twenty feet from other artificial grounds.

Working Space About Electrical Equipment.

Utilization
equipment.

- (207) Suitable working space shall be provided and maintained about all electrical equipment. Where adjacent to exposed live parts such working spaces shall be so arranged that they will not be used as passageways. The working spaces shall, where practicable, have minimum horizontal dimensions, where adjacent to exposed live parts within eight feet of the floor, as follows: (1) parts above 150 volts to ground, if on one side, 2.5 feet; if on two sides, four feet; (2) parts below 150 volts to ground, if on one side, 1.5 feet; if on two sides, 2.5 feet.

Supply
station
equipment.

- (208) In supply station equipment the following clearances only need be maintained: (1) parts from 300 up to 750 volts, if on one side, not less than 2.5 feet; if on two sides, not less than three feet; (2) parts above 750 volts, if on one side, not less than three feet; if on two sides, not less than five feet.

Guarding or Isolating Live Parts.

Guarding
current-
carrying
parts.

- (209) In supply station equipment, current-carrying parts shall be guarded unless they are maintained at the following distances above the floors which may be occupied by persons:

Voltage of conductors.	Elevation in feet.
300 to 750	7
750 to 2,500	7.5
2,500 to 7,500	8
7,500 to 30,000	9
30,000 to 70,000	10
70,000 to 100,000	12

- (210) All exposed current-carrying parts of electrical equipment such as bus bars, conductors and terminals operating at over 150 volts and not isolated by an elevation of at least eight feet, shall be provided with suitable permanent enclosures or other guards arranged so as to prevent persons or conducting objects from inadvertently coming (or being brought) in contact with the parts in question.
- (211) Where the current-carrying parts at over 150 volts, or in supply stations at over 300 volts to ground, must necessarily be exposed (unguarded) within eight feet, or in supply stations within the limits called for in Rule 209, from the floor line, all surrounding conducting floors shall be covered with suitable insulating platforms, mats or other insulating devices.
- (212) Where the current-carrying parts operate at over 7,500 volts, enclosing or barrier guards shall always be provided, even when insulating mats are also provided.

Storage Batteries.

Protection
of storage
batteries.

- (213) Storage batteries in rooms used also for other purposes shall be adequately guarded or enclosed. Means shall be provided, if necessary, to prevent dangerous accumulations of inflammable gas. Batteries whose operating voltage exceeds 50 volts shall be installed in conformity with the general rules covering equipment.

Transformer Rules.

Protecting
instrument
trans-
formers.

- (214) Secondary circuits of current transformers shall be provided with means for short-circuiting them which can be readily connected while the primary is energized, and which are so arranged as to permit the removal of any instrument or other device from such circuits without opening the circuits.
- (215) When primaries are above 7,500 volts secondary circuits of current and potential transformers, unless otherwise adequately protected from injury or contact of persons, shall be in permanently grounded conduit.
- (216) The low-voltage circuit of all instrument transformers shall be permanently grounded unless the circuits are installed and guarded as required for the high-voltage circuits of the transformers.

163.—(210). The wording of this section has been slightly changed in conformity with the general style of the Bill.

163.—(211-216). Unchanged.

Oil
immersed
transformers

- (217) Oil immersed transformers shall not be mounted on or above combustible roofs or attached to any building not of fireproof construction other than a transformer house and if within a building other than a transformer house must be in a fireproof compartment, suitably drained and ventilated to outdoors, the door openings to be provided with not less than six-inch non-combustible sills.

Transformer
stations to
be fireproof.

- (218) Transformer stations, if not entirely of fireproof construction, shall be located at least fifty feet distant from other buildings.

Lightning Arrester Rules.

Inaccessible
to un-
authorized
persons.

- (219) If the operating voltage of the circuit exceeds 750, the lightning arresters shall be made inaccessible to unauthorized persons.

Location.

- (220) Lightning arresters, when installed inside of buildings, shall be located, as far as practicable from all other equipment and from combustible parts of the building.

Provisions
for discon-
necting.

- (221) Lightning arresters on circuits over 7,500 volts and all lightning arresters which may require work to be done upon them from time to time, shall be so arranged, isolated, and equipped that they may be readily disconnected from conductors to which they are connected by air-break manual disconnectors.

Ground
wires.

- (222) Ground wires shall be run as directly as possible and be of low resistance and ample capacity. In no case shall ground wires be less than No. 6 copper wire. Ground conductors for lightning arresters shall not pass through iron or steel conduits unless electrically connected to both ends of such conduits.

Grounding
non-current
carrying
parts.

- (223) All non-current carrying parts of the arresters shall be grounded, unless effectively isolated by elevation, or guarded as required for live parts of the voltage of the circuit to which the arrester is connected, and suitably identified as to that voltage.

Guarding
live parts.

- (224) All current-carrying parts of arresters on circuits above 750 volts, unless effectively isolated by elevation, shall be adequately guarded to protect persons from inadvertent contact with them, or from injury by arcing. Guarding shall comply with Rules 210 and 228.

163.—(217). This refers to regulation 169 of the old Act. The phrasing in the regulation has been somewhat altered without making change to the intent.

163.—(218). This is regulation 170 of the old Act reworded so as to more clearly indicate the intent of the regulation.

163.—(219-227). Unchanged.

Conductors.

Electrical
protection
of con-
ductors.

- (225) Conductors shall be suitable for the location, use and voltage and each conductor (except neutral conductors, ground wires, and conductors of circuits, the opening of which may cause special hazard by interruption of service or removal of protection), shall be protected against excessive current by suitable automatic cut-out or by the design of the system.

Cut-outs
omitted.

- (226) All conductors normally grounded for the protection of persons shall be arranged without automatic cut-outs interrupting their continuity between the sources of electrical supply and the point at which the ground wire is attached, unless the cut-out opens all the conductors of the system with one operation.

Insulating
conductors.

- (227) All conductors where not protected by conduit or armouring shall have approved insulation and shall be mounted on cleats, porcelain knobs or insulators and shall be separated from contact with floors, walls or partitions by tubes of incombustible insulating material.

Isolating
conductors.

- (228) All fixed conductors operating at over 150 volts or in supply stations at over 750 volts unless isolated by an elevation of at least eight feet shall be enclosed in grounded metal conduit, grounded metal sheathing or shall be guarded by permanent screens or enclosures.

Use of bare
conductors.

- (229) Bare conductors shall be used only for switchboard, panelboard, storage-battery connections or for open wiring at voltages exceeding 2,400 volts in supply stations or for electrolytic low-voltage furnaces and similar connections, or for trolley wires and other contact conductors. Except at points where permanent ground connections are made such conductors within buildings shall be kept insulated from the ground.

Temporary
wiring.

- (230) Temporary wiring and equipment, which is not in compliance with these rules, may be used, but only when under competent supervision, or protected by suitable barriers or warning signs while it or neighbouring wiring is alive and accessible to unauthorized persons.

163.—(228). This refers to regulation 179 of the old Act. To reduce the hazard of coming in contact with live circuits the requirement of the regulation has been made to apply to all circuits over 150 volts, rather than 300 volts as in the old Act. This conforms with modern practice.

163.—(229-241). Unchanged.

Fuses, Cut-outs, Switches and Controllers.

General
require-
ment of
switches.

- (231) All switches, automatic cut-outs, controllers, starting rheostats, auto starters and other control devices shall be readily and safely accessible to authorized persons; they shall be so located, labelled or marked as to afford means of identifying circuits or equipment supplied through them, and to indicate whether they are open or closed. They shall be so installed, where practicable, that they cannot be closed by gravity and such switches as close by gravity shall be provided with a proper stop block or latch to prevent accidental closing.

Switches
required for
equipment.

- (232) Suitable switches shall be inserted in all circuit leads to generators, motors, transformers, storage batteries, electric furnaces and similar equipment except between parts or pieces of apparatus intended to operate as a unit.

Switches
required in
feeders.

- (233) Suitable switches shall be inserted in all feeder conductors connecting utilization installations to service connections from either overhead or underground lines. These switches shall be readily accessible, and as close as practicable to the point of connection with the overhead or underground lines.

Switches for
temporary
wiring.

- (234) Switches or plug connectors shall be placed in all circuit leads at the point where temporary wiring or portable conductors are connected to the permanent wiring.

Capacity of
switches.

- (235) Switches used otherwise than as disconnectors shall have a rated capacity such as to insure safe interruption, at the working voltage, of the greatest current which they may be required to carry continuously, and shall be marked with the current they can safely interrupt.

Switches
have suffi-
cient rup-
turing
capacity.

- (236) All cut-outs, switches, circuit breakers and other apparatus used for opening or closing an electric circuit shall be of such design as to operate safely on the system from which the circuit is energized.

Discon-
nectors.

- (237) Disconnectors shall be of suitable voltage and ampere rating for the circuit in which they are installed and shall be accessible only to qualified persons. They shall also be protected by signs warning against opening the switch while carrying current in excess of the safe opening limit.

Locking or
blocking
switches.

- (238) Means shall be provided so that switches controlling apparatus can be locked or blocked in the open position or plainly tagged to prevent careless closing while work is being done on the equipment unless all live and moving parts of the equipment are in plain sight of the switch.

Good con-
tact re-
quired on
switches.

- (239) Switches, controllers and rheostats shall be so constructed as to make and maintain good contact. Knife switches shall maintain such alignment under service conditions that they may be closed with a single unhesitating motion.

When air-
break
switches
needed.

- (240) Unless a switch, operating on a circuit above 300 volts, makes an air break there shall, if equipment controlled by such switch requires adjustment or repairs while the conductors leading to such switch are still alive, be installed between it and the source of energy supply a suitable air-break disconnecter.

Enclosing
live parts
of switches.

- (241) All manual switches over 150 volts to ground or in supply stations over 300 volts to ground shall have suitable casings or guards protecting the operator from danger of contact with current-carrying parts or being burned by arcing at the switch.

Guarding
switches
above
300 volts.

- (242) All switches interrupting circuits over 300 volts shall be operated by means of remote control mechanism or be provided with suitable casings protecting the operator from danger of contact with current-carrying parts, except as provided in Rule 244. The control device for switches shall indicate whether the switches are open or closed.

Connections
to switches.

- (243) Switches shall, if practicable, be so connected that switch blades will not be alive when in the open position.

Working
spaces about
ordinarily
guarded
switches
above
750 volts.

- (244) Where switches, disconnectors, and fuses above 750 volts are ordinarily guarded by covers or enclosed in separate rooms, but must occasionally be operated without such protection, either by removal of the covers or by entrance into the rooms, adequate working space shall be provided about the live parts so that the operator will not be required to bring any part of his body within the following horizontal distances:

Voltage of parts.	Distance in feet.
750 to 7,500	1
7,500 to 30,000	2
30,000 to 50,000	3
50,000 to 70,000	4
70,000 to 100,000	5

163.—(242). This refers to regulation 185 (b) of the old Act,

To reduce the hazard of persons coming in contact with live circuits the requirement of guarding switches or operating them by remote control is asked for on all circuits over 300 volts, rather than over 750 volts as under the old Act. This conforms with modern practice.

163.—(243-250). Unchanged.

Switches to
be placed
before
fusible
cut-outs.

- (245) On circuits up to 300 volts to ground, where fusible cut-outs are not so arranged that they are necessarily disconnected from all sources of electrical energy before the ungrounded current-carrying parts can be touched, switches shall always be so placed or arranged that opening them will disconnect the fuses from all sources of electrical energy.

Protecting
fusible
cut-outs
above
300 volts.

- (346) Fusible cut-outs above 300 volts to ground shall be in a cabinet or otherwise made inaccessible to all but authorized persons, and switches shall be so placed and arranged that opening them will disconnect the fuses from all sources of electrical energy.

Fuses in
fireproof
cabinets.

- (247) All fusible cut-outs shall be installed in approved fireproof cabinets.

Capacity of
fuses.

- (248) The rated capacity of the fuses shall not exceed the allowable carrying capacity of the conductor.

Switchboards.

Switch-
boards to
be readily
accessible.

- (249) Switchboards and panelboards shall have all switches arranged so that the means of control are readily accessible to the operator.

Switch-
boards to
be con-
venient for
operation.

- (250) Instruments, relays or other devices requiring reading or adjustment shall be so placed that the work can be readily performed from the working space provided.

Location
and light-
ing of
switch-
boards.

- (251) Switchboards shall be so placed that the person operating them will not be endangered by machinery or equipment located near the board. Means for adequate illumination shall be provided.

Protecting
against
short cir-
cuiting on
switch-
boards.

- (252) Exposed bare parts of different potentials on any switchboard or panelboard shall be as few as practicable and these shall be effectively separated.

Guarding
current-
carrying
parts of
switch-
boards.

- (253) All switchboards and panelboards having exposed current-carrying parts operating at over 150 volts to ground shall, when practicable, be suitably encased in locked cabinets, screens, or rooms, or other enclosures to make them inaccessible to other than authorized operators. Conducting floors about such boards, and in supply stations about boards having equipment, operating at over 300 volts to ground shall be provided with suitable insulating platforms or mats so placed that no person can inadvertently touch live parts unless standing on the insulating platform or mats.

163.—(251). The wording has been slightly changed in conformity with the general style of the Bill.

163.—(252-258). Unchanged.

Switch-
boards
below 150
volts
accessible
to unauthor-
ized persons.

- (254) Where switchboards or panelboards at voltages below 150 to ground are accessible to other than authorized operators, they shall, where practicable, be enclosed in cabinets or screens as an effective precaution against accidental short circuit at times when no operation of the board necessitates the opening of the cabinet or screen.

Motor Control Devices.

Motor
control
devices.

- (255) Manually controlled starters for all D.C. motors and for all A.C. motors over five horsepower shall be so designed and the circuits so arranged that they return automatically to the "off" position upon the failure of the energy supply, except where the motors and their starting devices are, during operation, under the supervision of qualified persons and equivalent protection is otherwise provided.

Protecting
motors
against
overload.

- (256) Each motor must be protected against excessive overload current by cut-out or automatic circuit breaker, and overload device should interrupt the circuit at fifty per centum over normal motor-current rating. An auto starter which disconnects all wires of the circuit automatically under overload when in the running position may be used as circuit breaker.

Illuminating Supply Stations.

Lighting
for supply
stations.

- (257) Rooms and spaces shall have good artificial illumination. Arrangement of permanent fixtures and plug receptacles shall be such that the portable cords need not be brought into dangerous proximity of live electrical apparatus. All lamps shall be arranged to be controlled, replaced, or trimmed from readily accessible places.

Emergency
lighting
for supply
stations.

- (258) A separate emergency source of illumination, from an independent generator, storage battery, lanterns or other suitable source, shall be provided in every station where an attendant is located.

Fire Fighting Appliances.

Fire fighting
appliances.

- (259) Each room or space where an operator is in attendance shall be provided with an adequate approved fire extinguishing appliance conveniently located and conspicuously marked. No chemical appliance which has not been approved for use on live parts shall be placed in any room containing electric apparatus or exposed lines.

163.—(259). This refers to regulation 193 of the old Act.

The new wording was adopted following discussion of Bill 70, as it was felt to more definitely cover the case and to define much better practice.

Lighting Fixtures.

Guarding
current-
carrying
parts of
lighting
fixtures.

- (260) Electric fixtures, such as lamp sockets and lamp bases, plugs, receptacles, etc., shall be so installed that no current-carrying parts will normally be exposed externally when these parts are within reach of grounded surfaces (see Rules 210, 211 and 212). The high-temperature current-carrying parts of radiant heaters are exempted.

Portable
lamps.

- (261) Portable lamps shall not be connected to circuits operating at over 300 volts to ground.

Portable
conductors
exposed to
injury.

- (262) In locations where exposed to dampness or mechanical injury, portable conductors shall be of reinforced weatherproof cord, and, when necessary, armoured.

Style of
portable
lamps
permitted.

- (263) In locations where exposed to dampness or mechanical injury, portable lamps shall have their sockets enclosed in wood or composition handles, through which the conductor shall be carried, and shall have a substantial wire cage which encloses the lamp. A hook for hanging the lamp shall be attached either to the cage or to the handle.

Trolleys and Portable Apparatus.

Guarding
trolley or
crane
collector
wires.

- (264) Trolley or crane collector wires, whether indoors or out, shall, where practicable, be elevated at least 8 feet above the rail level and be provided with suitable guards so arranged that persons cannot inadvertently touch the current-carrying parts while in contact with the ground or with conducting material connected to the ground.

- (265) In tunnels or under bins or in similar locations where trolley wires are necessarily less than 8 feet above the rail level, the operating voltage shall not exceed 300 and the wires shall be efficiently guarded to prevent accidental contact of person.

Portable
and
pendant
conductors.

- (266) Portable and pendant conductors shall not be installed or used on circuits operating at over 150 volts to ground, unless they are accessible only to persons authorized to approach them. In such cases they shall be of a type suitable to the voltage and conditions.

163.—(260-275). Unchanged.

Cranes and Elevators.

Discon-
nections
for cars
and cranes.

- (267) Readily accessible means shall be provided whereby all conductors and equipment located in or on cars or cranes can be disconnected entirely from the source of energy at a point as near as possible to the trolley or other current collector.

Switch
needed on
cars and
cranes.

- (268) A circuit breaker or switch, capable of interrupting the circuit under heavy loads, shall be used unless the current collector can be safely removed, under heavy loads, from the trolley wire.

Telephone Exposed by Supply Lines.

Protecting
telephone
equipment
exposed
by high
voltage.

- (269) Telephone or other signal apparatus which must be handled by persons and which is connected to overhead signal circuits exposed by supply lines over 400 volts to ground shall be protected as follows:

- (a) By fuses and arresters;
- (b) All exposed non-current-carrying metal parts shall be permanently grounded;
- (c) The apparatus shall be installed in such a way that a person using it will be obliged to stand on a suitably insulated platform, in a suitably insulated booth or on other insulating surfaces.

Protecting
telephone
signal
equipment
exposed to
induced
voltage

- (270) Telephone or signal apparatus which is connected to a line which parallels a supply circuit of high voltage in such a manner as to be exposed to induced voltage shall be protected by transformers and shall comply with the requirements of Rule 269.

Transmission Lines.

Design and
construc-
tion of
supply lines.

- (271) All electrical supply lines and equipment shall be of suitable design and construction for the service and the conditions under which they are to be operated, and all lines shall be so installed and maintained as to reduce the life hazard as far as practicable.

Guarding
supply
lines.

- (272) Conductors and other current-carrying parts of supply lines shall be so arranged as to provide adequate clearance from the ground or other space generally accessible, or shall be provided with guards so as to effectively isolate them from accidental contact of person.

Entrance to
buildings.

- (273) Where supply lines over 300 volts to ground are attached to any buildings, for entrance, they shall be permanently guarded if accessible.

Clearance
required
by supply
lines over
railways.

- (274) Supply lines carried over railways operated by steam, electric or other motive power and on which standard equipment, such as freight cars, is used shall have the style of construction and clearances overhead as called for in the rules of the Board of Railway Commissioners of the Dominion of Canada. Supply lines crossing over railways on which standard equipment is not used and lines crossing over roadway shall have ample clearance for the operating conditions and shall be substantially supported.

Underground.

Restrictions
on use of
motors
under-
ground.

- (275) Except with the written permission of the Chief Inspector, who shall prescribe such conditions as he may deem fit:—

- (a) No motor over 750 volts to ground shall be used underground;
- (b) The voltage supply for electrical traction underground shall not exceed 300;
- (c) No electrical energy higher than 750 volts to ground shall be transmitted underground.

In under-
ground in-
stallations
switch to be
placed at
surface.

- (276) Where electrical energy is taken underground provision shall be made that the current can be cut off, on the surface, close to the point where it is led underground. The cut-off switch or switches shall be situated in a locked building or compartment, and same shall be accessible only to an authorized person or persons.

Fire preven-
tion about
electrical
installations.

- (277) The bases of electric motors, transformers, starting equipment and other electrical apparatus and the compartments in which such are installed shall be of such material and constructed in such manner as to reduce the fire hazard to a minimum. No inflammable material shall be stored or placed in the same compartment with any such equipment or apparatus.

Conduits
required.

- (278) All cables over 150 volts transmitting power under ground shall be armoured or enclosed in standard conduit and substantially supported.

163.—(276). This refers to regulation 207 of the old Act.

The change is in the deletion of the word "separate" in the fifth line of the old regulation, the requirement becoming "shall be located in a locked building."

163.—(277). There was no similar regulation under the old Act. The regulation has been designed for the purpose of fire prevention underground from electrical apparatus.

163.—(278). Unchanged.

Conduits
or insula-
tors for
lighting
circuits.

- (279) Wires carrying not over 150 volts to ground for lighting and signal circuits shall either be in standard conduits or casings, or suspended from and securely tied to porcelain or glass insulators, so that they do not touch any timbering or metal. On no account shall staples be used.

Groundings
of casings.

- (280) The armouring or casing of cables, mentioned in the two next preceding rules, shall be bonded together so as to be electrically continuous, and shall be connected at some point or points to a satisfactory ground.

Method of
grounding.

- (281) All rules governing grounding of electrical apparatus in general work shall apply equally to underground work.

Precautions
to protect
signal and
telephone
wires.

- (282) All proper precautions shall be taken to prevent electrical signal or telephone wires, whether insulated or not, coming into contact with other electrical conductors.

Rules Governing Electric Hoists.

Testing for
overloading.

- (283) When the inspector has cause to believe that the shaft conveyance operated by any electric hoist is being overloaded he shall have the power to order a test to be made.

Damage to Property.

Wilful
damage.

- (284) No person shall wilfully damage, or without proper authority remove or render useless, any fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, ladder, platform, steam-gauge, water-gauge, safety-valve, electrical equipment or other appliance or thing provided in any mine in compliance with this Act.

General.

Persons
under the
influence of
or carrying
liquor.

- (285) No person under the influence of or carrying intoxicating liquor shall enter any mine or be in the proximity of any working place on the surface or near any machinery in motion.

Abstract of
rules to be
posted.

- (286) An abstract of the rules and regulations contained in this Act, authorized by the Chief Inspector, shall be posted up in suitable places at the mine or works where the same can be conveniently read and the

163.—(279). This refers to regulation 209 of the old Act.

The change here is the reduction from 300 volts to 150 volts on circuits required to be installed, in conformity with the regulation. This is adopted to reduce the hazard of persons coming in contact with live circuits and conforms with standard practice.

163.—(280-286). Unchanged.

owner or agent of the mine shall maintain such abstract, duly posted, and the removal or destruction of the same shall be an offence against this Act. R.S.O. 1927, c. 45, s. 161; 1929, c. 15, ss. 4, 5 and 6. *Amended.*

Payment of Wages.

Prohibition
of payment
of wages at
public
houses.

- 164.—(1) No wages shall be paid to any person employed in or about any mine to which this Part applies at or within any tavern, shop or place where spirits, wine, beer or other spirituous or fermented liquors are sold or kept for sale, or within any office, garden, or place belonging or contiguous thereto or occupied therewith.

Penalty.

- (2) Every person who contravenes or permits any person to contravene this section shall be guilty of an offence against this Act, and in the event of any such contravention by any person whomsoever the owner and agent of the mine in respect of which the wages were paid shall also each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means to prevent such contravention by publishing and to the best of his power enforcing the provisions of this section. R.S.O. 1927, c. 45, s. 162.

Payment
of wages
at least
fortnightly.

- (3) Notwithstanding any agreement to the contrary, every person who performs labour for wages in connection with any mine, mining claim, mining lands, or works connected therewith, shall be paid such wages not less frequently than twice a month. R.S.O. 1927, c. 45, s. 163.

Sale of Liquor Prohibited.

Sale of in-
toxicating
liquor pro-
hibited
within six
miles of
certain
mines.

165. Except in a city, town or village no shop or store for the sale of intoxicating liquor, as defined by any Act for the prohibition or control of the sale or consumption of intoxicating liquor, shall be opened or maintained within six miles of any mine or mining camp where six or more workmen are employed. R.S.O. 1927, c. 45, s. 164.

Damaging Other Claims.

Licenses
not to
damage
other claims.

166. No person or company shall, without right or authority, cause damage or injury to the holder of any other mining property by throwing earth, clay,

164.—(1, 2, 3). Unchanged.

Section 165. Unchanged.

Section 166. The only change here over section 165 of the old Act is the deletion of the words "in mining operations" in the first line. This change has been made in conformity with the general wording of the Act.

stones, or mining material thereon, or by causing or allowing water which may be pumped or bailed or which may flow from a mining claim or other mining property of such person, to flow into or upon such other mining property, and the offender in addition to any civil liability shall incur a penalty of not more than \$10 for every day such damage or injury continues, and in default of payment of the penalty and costs, may be imprisoned for any period not exceeding one month. R.S.O. 1927, c. 45, s. 165. *Amended.*

Party Wall.

Party walls,
thickness of.

- 167.—(1) Except as provided for in subsection 17 of section 163, or unless the owners agree to dispense therewith, in all mining operations there shall be left between all adjoining properties a party wall at least fifteen feet thick (being seven and one-half feet on each property), to the use of which the adjoining owners shall be entitled in common. R.S.O. 1927, c. 45, s. 166 (1) *amended.*

Use in
common.

- (2) The owners shall be entitled to use such party wall in common as roadway for all purposes, and such roadway shall not be obstructed by the throwing of soil, rock or other material thereon, or in any other way, and any person obstructing the same in addition to any civil liability shall incur a penalty of not more than \$10 for every day such obstruction continues.

Dispensing
with

- (3) Any such adjoining owners may, in any case, apply to the Judge, who may make an order dispensing with such party wall or roadway, or providing for the working of any material therein, or otherwise as he may deem just. R.S.O. 1927, c. 45, s. 166 (2, 3).

Examination
of party
wall.

- (4) When the owner of a mine or mining property has reason to believe that a breach has been made in the party wall between his own and an adjoining property or that a trespass has been committed with respect thereto, the Judge may upon application to him authorize a competent and disinterested person to examine such party wall and for such purpose enter the said mine or mining property with an assistant or assistants and use if necessary the workings and appliances thereof, and the person so appointed shall immediately after such examination report in writing his findings to the Judge.

167.—(1) The change in this subsection over 166 (1) of the old Act is the insertion of the qualification "except as provided for in subsection 17, section 163," in conformity with the requirements of that regulation.

167.—(2-3). Unchanged.

167.—(4). There was no similar provision in the old Act. The clause has been added to provide the necessary means of satisfying a person who has reason to believe that an adjoining mine is trespassing upon his property in its mining operations underground.

The time when such examination shall be made and the cost thereof and any damage resulting therefrom shall be fixed by the order of the Judge.

Order for
closing
breach in
party wall.

- (5) Where a breach has been made in a party wall of a mine by the owner of an adjoining mine or by his workmen, servants or agents without permission of the owner of such first mentioned mine or the authority of the Mining Court or the Department, the Judge of the Mining Court upon the application of such first mentioned owner may make an order directing the owner of such adjoining mine to permanently close such breach or do such other things as the Judge may deem necessary or advisable to prevent water flowing into the mine of the applicant, and if work has been discontinued in such adjoining mine, or if for any other reason he deems it expedient, the Judge may authorize the applicant to enter upon the adjoining mine and into the works thereof and to erect bulkheads therein and do all such other things or make such use of the works of the adjoining mine as the Judge may deem necessary or advisable for the purpose of protecting the mine of the applicant and his workmen and employees from damage or danger from accumulations or water in the adjoining mine.

Varying
order.

- (6) The Judge for good cause shown and on such terms as may seem just may by subsequent order at any time change supplement, alter, vary or rescind any order made under the authority of this section.

Notice of Accidents.

Accidents,
causing
death,—
notice of.

- 168.—(1) Where, in or about any mine, whether above or below ground, any accident occurs which causes loss of life to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall immediately notify, by telephone or telegraph, the Deputy Minister.

Notice of
serious
injury.

- (2) Where, in or about any mine, whether above or below ground, any accident occurs which causes fracture or dislocation of any of the bones of the body, or any other serious personal injury, to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall within three days next after the accident send notice in writing to the Inspector resident in that district on the form prescribed for such purpose.

167.—(5) There was no similar provision in the old Act. This clause provides for the relief, through an order of the Court, of damage which may result from a breach in the party wall not provided for in 163—(17).

168.—(1-4). Unchanged.

"Serious personal injury," meaning of.

- (3) "Serious personal injury" shall mean such an injury as in the opinion of the attending physician may result in the injured person being incapacitated for work for at least seven days.

Accidents.

- (4) Where in or about any mine;

Over-winding.

- (a) any case of overwinding a skip or cage;

Breakage in cables.

- (b) any breakage of a rope or cable used for hoisting;

Inrush of water.

- (c) any inrush of water from old workings or otherwise;

Fire below ground.

- (d) any outbreak of fire below ground; or

Explosions.

- (e) any premature or unexpected explosion;

Notice to Inspector.

occurs, whether or not loss of life or personal injury is caused thereby, the owner, agent, manager, or superintendent shall, within twenty-four hours next after the occurrence, send notice in writing to the Inspector resident in the district, and shall furnish such particulars in respect thereof as may assist the Inspector in making inquiry into the circumstances. R.S.O. 1927, c. 45, s. 167.

Notice of changes in connection with the working of a mine or in respect of its officers.

169. Where mining operations have been commenced upon any mine, claim, location of works, or where such operations have been discontinued, or where such operations have been recommenced after an abandonment or discontinuance for a period exceeding two months, or where any change is made in the name of a mine or in the name of the owner or agent thereof, or in the officers of any incorporated company which is the owner thereof, the owner or agent of such mine, claim, location or works shall give notice thereof to the Deputy Minister within two months after such abandonment, discontinuance, recommencement or change, and if such notice is not given the owner or agent shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 168.

Statistical Returns.

Statistical returns by owners and agents of mines.

- 170.—(1) For the purpose of their tabulation under the instructions of the Minister the owner or agent of every mine, quarry or other works to which this Act applies shall, on or before the 15th day of

Section 169. Unchanged.

170.—(1-3). Unchanged.

January in every year, send to the Department a correct return for the year which ended on the 31st day of December next preceding, showing the number of persons ordinarily employed below and above ground respectively, and distinguishing the different classes and ages of the persons so employed whose hours of labour are regulated by this Act, the average rate of wages of each class and the total amount of wages paid during the year, the quantity in standard weight of the mineral dressed, and of the undressed mineral which has been sold, treated or used during such year, and the value or estimated value thereof, and such other particulars as the Minister may by regulation prescribe.

Monthly or
quarterly
returns.

- (2) The owner or agent of every metalliferous mine shall, if required, make a similar return for the month or quarter at the end of each month or quarter of the calendar year.

Penalty.

- (3) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 169.

Plans of Workings.

Plans to be
produced on
inspection of
mine.

- 171.—(1) On any examination or inspection of a mine the owner shall, if required, produce to the Inspector, or to any other person authorized by the Minister or Deputy Minister, an accurate plan and sections of the workings of the same.

Marking
subsequent
progress on
plan.

- (2) The plan and sections shall show the workings of the mine up to within six-months of the time of the examination or inspection, and the owner shall, if required by the Inspector or other authorized person, cause to be marked on the plan the progress of the workings of the mine up to the time of the examination or inspection, and shall also permit him to take a copy or tracing thereof.

Plan of
working
mines to be
filed.

- (3) An accurate plan on a scale of not more than fifty feet to the inch of every working mine in which levels, crosscuts or other openings have been driven from any shaft, adit or tunnel, and of every mine consisting of a tunnel or shaft fifty feet or more in

Section 171. The only change over the requirements of section 170 of the old Act is in subsection (3), in requiring plans to be filed by March 31, rather than January 31.

This change was requested to relieve the unusual press of business at the first of the year and is mutually satisfactory to all parties concerned.

length shall be made and a certified copy filed in the Department on or before the 31st day of March in each year, showing the workings of the mine up to and including the 31st day of December next preceding.

Plans to be
filed before
abandon-
ment.

- (4) Before a mine or any part of a mine is abandoned, closed down or otherwise rendered inaccessible, all underground plans and sections shall be brought up to date and a certified copy filed in the Department.

Failure to
furnish
plans.

- (5) Failure on the part of the owner or agent of the mine to comply with any provision of this section shall be an offence against this Act.

Plans to
be treated
as confi-
dential.

- (6) Every such plan shall be treated as confidential information for the use of the officers of the Department and shall not be exhibited nor shall any information contained therein be imparted to any person except with the written permission of the owner or agent of the mine.

Penalty.

- (7) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 170, *amended*.

Powers and Duties of Inspector.

Powers of
Inspector.

- 172.—(1) It shall be the duty of every Inspector, and he shall have power,—

Inquiries as
to compli-
ance with
Act.

- (a) to make such examination and inquiry as he may deem necessary to ascertain whether the provisions of this Act are complied with; and to give notice to the owner or agent in writing of any particulars in which he considers such mine or any portion thereof, or any matter, thing or practice to be dangerous or defective or contrary to the provisions of this Act, and to require the same to be remedied within the time named in such notice;

Inspection.

- (b) to enter, inspect and examine any mine and any portion thereof at any reasonable time by day or night, but so as not to unnecessarily impede or obstruct the working of the mine.

172.—(1, 2, 3).—This refers to section 171 of the old Act. The main changes are: the combining of old subsections (1) (a) and (c) and the wording of new subsection (1) (b) from "every portion thereof at all reasonable times" to "any portion thereof at any reasonable time."

The old requirement, making it obligatory on the inspector to inspect every portion of a mine at all reasonable times, is obviously a physical impossibility—every portion of a mine is not always accessible.

Subsection (1) (e) has been changed in that the words "as may be necessary" have been replaced by the phrase "as he may deem necessary."

Stopping
work when
mine unsafe.

- (c) to order the immediate cessation of work in and the departure of all persons from any mine or portion thereof which he considers unsafe, or to allow persons to continue to work therein on such precautions being taken as he deems necessary;

General
powers for
protection
of miners.

- (d) to exercise such other powers as he may deem necessary for ensuring the health and safety of miners and all other persons employed in or about mines, smelters, metallurgical and mining works.

Annual
report.

- (2) It shall be the duty of every Inspector to make an annual report of his proceedings during the preceding year to the Deputy Minister.

Report to be
laid before
Assembly.

- (3) The annual report shall be laid before the Assembly. R.S.O. 1927, c. 45, s. 171.

Special
report.

- 173.—(1) The Minister may direct an Inspector to make a special report with respect to any accident in or about any mine which has caused loss of life or personal injury to any person.

Inspectors
may take
evidence.

- (2) In conducting the inquiry the Inspector shall have power to compel the attendance of witnesses and the production of books, documents and things, and to take evidence upon oath. R.S.O. 1927, c. 45, s. 172.

Offences.

- 174.—(1) Non-compliance with any written order of an Inspector issued in accordance with section 172 shall be deemed an offence against Part VIII of this Act.

- (2) Failure to give written notice of the completion of any work in accordance with any written order of an Inspector issued under section 172 shall be deemed an offence against Part VIII of this Act.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

173.—(1-2). Unchanged.

174.—(1-2). Section 172 (1) defines the powers and duties of an inspector under this Act, and grants him the authority to require certain changes to be made where he considers a "mine or any portion thereof or any matter, thing or practice to be dangerous or defective or contrary to the provisions of this Act."

In order to clearly indicate that any such order of an inspector has the same status as a regulation under the Act, the requirements of this section (174) are laid down.

BILL.

An Act to amend The Mining Act.

1st Reading

February 7th, 1930

2nd Reading

3rd Reading

MR. MCCREA

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Mining Act.

MR. MCCREA

No. 54.

1930.

BILL

An Act to amend The Mining Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Mining Act, 1930*.

Rev. Stat.,
c. 45, s. 1,
cl. g,
repealed.

2. The clause lettered g in section 1 of *The Mining Act* is repealed.

Rev. Stat.,
c. 45, s. 36,
amended.

3. Section 36 of *The Mining Act* is amended by striking out the word "and" in the eighth line and inserting in lieu thereof the word "not."

Rev. Stat.,
c. 45, s. 39,
amended.

4. Section 39 of *The Mining Act* is amended by adding thereto the following clause:

(e) Lands in an Indian Reserve, except as provided by *The Indian Lands Act, 1924*, being 14 George V, chapter 15.

Rev. Stat.,
c. 45, s. 40,
subs. 1,
amended.

5.—(1) Subsection 1 of section 40 of *The Mining Act* is amended by inserting after the word "minerals" in the third line, the words "or stake out a mining claim."

Rev. Stat.,
c. 45, s. 40,
subs. 2,
amended.

(2) Subsection 2 of the said section 40 is amended by adding after the word "prospecting" in the third line, the words "or staking out."

Rev. Stat.,
c. 45, s. 103,
subs. 1,
repealed.

6. Subsection 1 of section 103 of *The Mining Act* is repealed and the following substituted therefor:

Conditions
of patent,—
ores to be
treated in
Canada.

(1) All lands, claims, or mining rights leased, patented, or otherwise disposed of under this Act on or after the 12th day of April, 1917, shall be subject to the condition that all ores or minerals raised or removed therefrom shall be treated and refined within the Dominion of Canada, so as to yield refined metal or

other product suitable for direct use in the arts without further treatment, in default whereof the Lieutenant-Governor in Council may declare the lease, patent or other form of title of such lands, claims or mining rights to be null and void, and the Order-in-Council so declaring shall be registered in the office of the local master of titles or registry office as the case may be, whereupon the said lands, claims or mining rights shall revert to and become vested in His Majesty, His Heirs and Successors, freed and discharged of any interest or claim or any other person or persons whomsoever.

7. Part VIII of *The Mining Act*, containing sections 153 to 174, as amended by section 3 of *The Mining Act, 1928*, and sections 4, 5 and 6 of *The Mining Act, 1929*, is repealed, and the following substituted therefor:

Rev. Stat.
c. 45,
Part VIII.,
repealed.

PART VIII—OPERATION OF MINES.

REGULATIONS.

153.—(1) In this Part,—

Interpreta-
tion.

- (a) "Authorized" shall mean properly authorized to perform any specified duty or to do any specified act, and "qualified" shall mean properly qualified to perform any specified duty or do any specified act; "Authorized,"
"Qualified."
- (b) "Chief Inspector" shall mean Chief Inspector of Mines for Ontario, and "Inspector" shall mean an Inspector of Mines for Ontario; "Chief In-
spector,"
"Inspector."
- (c) "Manager" shall mean the person responsible for the control, management and direction of a mine or works; "Manager."
- (d) "Owner" when used in Parts VIII and IX of this Act shall include every person, mining partnership, and company being the immediate proprietor or lessee or occupier of a mine, or of any part thereof, or of any land located, patented or leased as mining lands but shall not include a person, or a mining partnership or company receiving merely a royalty, rent or fine from a mine or mining lands, or being merely the proprietor of a mine or mining lands subject to a lease, grant or other authority for the working thereof, or the owner of the surface rights and not of the ore or minerals; "Owner."

Responsi-
bility as to
qualifica-
tions.

- (2) Subject to the requirements of this Act, and except as otherwise herein provided, responsibility for the authorization and decisions as to the qualifications of the employees shall rest with the employer or his agent. R.S.O. 1927, c. 45, s. 153, *amended*.

Employment in and about Mines.

Restrictions
on employ-
ment of
children.

- 154.—(1) No male person under the age of sixteen years shall be employed in or about any mine, and no male person under the age of eighteen years shall be employed below ground in any mine. R.S.O. 1927, c. 45, s. 154.

Girls and
women.

- (2) No girl or woman shall be employed in or about any mine except in a technical, clerical or domestic capacity.

Rescue
stations.

- 155.—(1) There shall be provided and maintained mine rescue stations at such points in the Province as the Minister may direct and each of such stations shall be equipped and kept in such manner as may be directed by the Chief Inspector.

Workmen's
Compensa-
tion Board
to provide
funds.

- (2) The Workmen's Compensation Board of Ontario shall provide the funds necessary for the establishment, equipment and maintenance of each of such rescue stations at the expense of the mining industry and such funds shall be payable out of moneys assessed and collected from time to time from the mining industry.

Person or
persons in
charge to
train rescue
crews.

- (3) Each rescue station and its equipment shall be in charge of such person or persons as may be designated and appointed by the Chief Inspector and it shall be the duty of such person or persons to teach and train mine rescue crews in the use and maintenance of the apparatus and to maintain the apparatus in efficient and workable condition so as to be always available for immediate use.

Duty of
owner,
agent and
manager as
to training
of rescue
crews.

- (4) It shall be the duty of the owner, agent and manager of every mine to cause such number of workmen as the Inspector shall deem necessary, to be trained in the use and maintenance of rescue apparatus.

Hours of
labour
under-
ground.

- 156.—(1) No workman shall remain or be allowed to remain underground in any mine for more than eight hours in any consecutive twenty-four hours, which eight hours shall be reckoned from the time he arrives at his place of work in the mine until the time he leaves such place, provided however, that,

- (a) a Saturday shift may work longer hours for ^{Proviso.} the purpose of avoiding work on Sunday or changing shift at the end of the week or giving any of the men a part holiday;
- (b) the said limit of time shall not apply to a foreman, pump man, cage-tender, or any person engaged solely in surveying or measuring, nor shall it apply in cases of emergency, where life or property is in imminent danger, or in any case of repair work or to any mine where the number of men working in a shift does not exceed six. R.S.O. 1927, c. 45, s. 156 (1).
- (2) No person shall operate or be permitted to operate, ^{Hours of operator of hoisting engine.} either on the surface or underground, any hoisting engine by means of which persons or material are hoisted, lowered or handled in any shaft or winze, for more than eight hours in any consecutive twenty-four hours, except,—
- (a) that in the event of one of the regular hoist- ^{Absence of hoistman.} men being absent from duty through sickness or otherwise and where no competent substitute is available the remaining hoistman or hoistmen may work extra time not exceeding four hours each in any consecutive twenty-four hours for a period not exceeding ten days;
- (b) that in any case where the work at any mine ^{Less than three shifts per day.} or in any shaft or winze at any mine is not carried out continuously on three shifts per day, in which case the hoistman may work such extra time as may be necessary for hoisting or lowering the workmen employed on the shift at the beginning and end of each shift;
- (c) in the cases provided for in clauses *a* and *b* ^{Saturday shift, emergencies.} of subsection 1.
- (3) In this section,— ^{Interpretation.}
- (a) "Workman" shall mean any person employed ^{"Workman."} underground in a mine who is not the owner or agent or an official of the mine;
- (b) "Shift" shall mean any body of workmen whose ^{"Shift."} hours for beginning and terminating work in the mine are the same or approximately the same,

Certificate
of inspector.

and where any question or dispute arises as to the meaning or application of clause (b) of subsection 1, or as to the meaning of "workman," "shift," or "underground," the certificate of the Inspector shall be conclusive.

Application
of sections
as to
penalties.

- (4) For greater certainty it is hereby declared that sections 178, 179 and 180 of this Act shall apply to contraventions of this section; provided, however, that a workman shall not be guilty of an offence for failure to return to the surface within the time limited by this section if he proves that without fault on his part he was prevented from returning owing to means not being available for the purpose.

Suspension
of operation
of section.

- (5) In the event of great emergency or grave economic disturbance, the Lieutenant-Governor in Council may suspend the operation of this section to such an extent and for such period as he deems fit; or as regards any iron mine, the Lieutenant-Governor in Council may upon the recommendation of the Minister, in like manner suspend the operation of this section in so far as such mine is concerned. R.S.O. 1927, c. 45, s. 156 (2-5).

Commence-
ment of
section.

- (6) This section shall have effect and shall be deemed to have had effect from the 1st day of January, 1914, in all parts of the Province without county organization, and as to the remaining parts of the Province this section shall come into force and have effect at such time as may be named by the Lieutenant-Governor by his Proclamation. R.S.O. 1927, c. 45, s. 156 (6), *amended*.

Age limit,
hoistmen,
handling
men.

- 157.—(1) No person under the age of twenty years and no person who has not had adequate experience on a reversing hoist shall be allowed to have charge of any hoisting engine by means of which persons are hoisted, lowered or handled in a shaft or winze at any time.

Age limit.

- (2) No person under the age of eighteen years shall be allowed to have charge of any hoisting engine or hoisting apparatus of any kind at a mine. R.S.O. 1927, c. 45, s. 157 (1, 2).

Hoistman to
be holder of
medical
certificate.

- (3) No person shall operate or be permitted to operate any hoisting engine used in raising or lowering persons, or for any other purpose designated by the Inspector, unless such person is the holder of a subsisting certificate from a duly qualified medical

practitioner to the effect that such person has been examined and that he is not subject to any infirmity, mental or bodily, or that his sight or hearing are not defective to such a degree as to interfere with the efficient discharge of his duties.

- (a) Every such certificate shall lapse and be deemed to have expired at the end of one year from the date thereof.

- 158.—(1) Every workman employed underground in any mine shall be examined by a medical officer appointed ^{Examination for presence of silicosis, Rev. Stat., c. 179.} under the provisions of *The Workmen's Compensation Act* relating to silicosis at least once in every twelve months, and every applicant for underground work to whom the certificate mentioned in subsection 2 has not been issued shall be so examined.
- (2) If the medical officer finds upon examination that the workman is free from tuberculosis of the respiratory organs, he shall certify in the prescribed form that such is the case, and shall deliver the certificate to the workman. ^{Medical certificate.}
- (3) Every such certificate shall remain in force for not more than twelve months from the date of issue, and if so required by the manager or superintendent of the mine in which the workman is employed, it shall be delivered to and remain in the custody of such manager or superintendent during the period of the workman's employment, and shall be returned to him on his being discharged from or leaving the same. ^{Term of certificate.}
- (4) A like certificate shall be required in the case of a workman engaged in any ore or rock-crushing operation at the surface of the mine except where the ore or rock is crushed in water or a chemical solution and is kept constantly in a moistened or wet condition. ^{Ore or rock crushing operations at surface.}
- (5) Except as provided in subsection 4 a workman as to whom such a certificate is not in force shall not be employed in underground work in any mine or in ore or rock-crushing operations at the surface of any mine.
- (6) The Chief Inspector may exempt from the foregoing provisions of this section such mines as do not contain silica in quantity likely to produce silicosis, or which for any other good and sufficient reason the ^{Exemptions.}

said Chief Inspector deems should be exempt, nor shall such provisions apply to workmen employed underground for a less period than fifty hours in any one calendar month.

Regulations.

- (7) The Lieutenant-Governor in Council may make regulations prescribing the nature of the medical examination to be made and the form of certificate to be issued under the foregoing provisions of this section and generally for the better carrying out of the requirements of this section. 1928, c. 16, s. 3.

Penalty for employment of persons contrary to Act.

159. Where a contravention of sections 154, 156 or 157 takes place, the owner or agent of the mine, or both of them, may be proceeded against, jointly or separately, and may be convicted of such offence, but neither the owner nor the agent shall be so convicted if he proves that the offence was committed without his knowledge or consent, and that he had caused notices of the said sections to be posted up, and to be kept posted up, at some conspicuous place at or near the entrance to the mining work.

Fencing of abandoned or unworked mines.

- 160.—(1) Where a mine has been abandoned or the work therein has been discontinued, the owner or lessee thereof or any other person interested in the mineral of the mine shall cause the top of the shaft and all entrances from the surface as well as all other pits and openings dangerous by reason of their depth, to be and to be kept securely fenced to the satisfaction of the Inspector.

Failure to erect fence after notice.

- (2) Every such person who, after notice in writing from the Inspector fails to comply with his directions as to such fencing within the time named in the notice shall be guilty of an offence against this Act.

When inspector may erect

- (3) Where the Inspector finds that any such fencing is required in order to avoid danger to health or property he may cause the work to be done and may pay the costs incurred out of any moneys provided for the purposes of this Act, and the amount of such costs, with interest thereon, shall be a lien and charge upon the mine or mining work, and no further transfer or other dealings with the mine or mining work shall take place until such amount is paid.

Recovery of costs of work.

- (4) The amount of such costs with interest thereon shall be due from the owner or lessee to the Crown and recoverable at the suit of the Inspector in any court of competent jurisdiction. R.S.O. 1927, c. 45, s. 159.

Inquest to be held in Case of Fatality.

- 161.—(1) The coroner who resides nearest to a mine wherein or in connection wherewith any fatal accident has occurred, shall forthwith conduct an inquest, but if he is in any way in the employment of the owner or lessee of the mine he shall be ineligible to act as coroner, and any other coroner shall, upon application by any person interested, forthwith issue his warrant and conduct such inquest, and this section shall be his authority for so doing whether his commission extends to such territory or not. Coroner to hold inquest in case of fatality in a mine.
- (2) The Inspector and any person authorized to act on his behalf shall be entitled to be present and to examine or cross-examine any witness at every inquest held concerning a death caused by an accident at a mine, and if the Inspector or someone on his behalf is not present, the coroner shall, before proceeding with the evidence adjourn the inquest and give the Deputy Minister not less than four days' notice of the time and place at which the evidence is to be taken. R.S.O. 1927, c. 45, s. 160. Right of the Inspector or his representatives to be present at inquest.

RULES.

Rules for Protection of Miners.

- 162.—(1) Where the owner, agent or manager of a mine by his application in writing stating his reasons therefor, requests the Inspector to suspend the requirements of any rule under section 163 as to such mine, the Inspector may in writing direct that the requirements of such rule shall not apply to such mine, or may in writing direct that such rule shall not apply so long as such limitations and conditions as he may see fit to impose, are observed or complied with. Suspension of rule.
- (2) The Chief Inspector may at any time cancel any order made under subsection 1, or make such alterations therein as he may deem proper in view of any change in the conditions under which such order was made or upon it appearing to him that such change, for any other cause, is advisable. Cancellation of suspension.
- (3) The manager of a mine may make rules not inconsistent with any rule herein set out, or any special direction made by an Inspector as hereinbefore Manager of mine may make rules.

provided, for the maintenance of order and discipline and the prevention of accidents in the mine, and may submit any rule so made to the Chief Inspector, who shall lay the same before the Minister for his approval, and upon such approval being given the rules shall take effect after they have been posted up in a conspicuous place at the mine for at least fourteen days, provided that the Minister may disallow any of such rules or direct such changes to be made in them as he may deem proper.

- (a) Every such rule after approval and when and so long as it is posted up and is legible shall have the same force and effect as the rules and regulations set out in this Act and any person who contravenes any such rule shall incur the penalty provided for a breach of the rules and regulations contained in this Act.

Responsibility as to carrying out rules.

- (4) Except as to any rules which the Inspector has directed shall not be applicable thereto, the manager of the mine shall take all necessary and reasonable measures to enforce the requirements of the rules set forth in section 163 and to ensure that they are observed by every employee of the mine, and every foreman, mine captain, shift boss and department head shall take all necessary and reasonable measures to enforce the requirements of all such rules as are applicable to the work over which he has supervision and to ensure that the same are observed by the workmen under his charge or direction. Every person through whose neglect or wrongful act a contravention shall occur shall be deemed to have incurred the penalties provided for a breach of the rules.

Liability of contractors and sub-contractors.

- (5) Where work in or about a mine is let to a contractor or sub-contractor, he shall comply and enforce compliance with all the rules and provisions of this Part pertaining to the work over which he has control and shall in any case of noncompliance therewith be guilty of an offence and punishable in like manner as if he were owner or agent.

Duty as to knowledge of rules.

163. Subject to the provisions of section 162, the following rules shall be observed and carried out at every mine:

- (1) It shall be the duty of every manager, superintendent, mine captain, shift boss and every person in charge of workmen or who handles explosives or who

operates machinery or electrical apparatus in or about a mine, to know such of these rules as apply to the work in which he is engaged.

- (2) Every person employed as an underground foreman, meaning thereby one who is exclusively engaged in supervising the work of other men, shall be able to give and to receive and understand orders in the English language. Underground foreman to be able to speak English.
- (3) The Inspector shall have the right to suspend any foreman or mine captain who is unfamiliar with, or does not understand the rules governing the operation of mines as contained in this Act. Suspension for unfamiliarity with rules.

Fire Protection.

- (4) No inflammable refuse shall be allowed to accumulate underground, but shall be removed from the workings at least once a week and brought to the surface and there disposed of in a suitable manner. Removal of inflammable material.
- (5) Every shift boss and mine captain shall certify in writing to the mine manager at least once a week that there is no accumulation of inflammable refuse underground in the area under his supervision except as reported by him. Certificate as to amount of inflammable material.
- (6) Oil and grease kept underground shall be contained in suitable metal receptacles and the amount so kept shall not exceed the requirements for seven days. Oil and grease.
- (7) All timber not in use in a mine shall as soon as practicable be taken from the mine and shall not be piled up and permitted to decay therein. Timber.
- (8) All underground buildings or enclosures necessary for the housing and maintenance of machinery and equipment shall be so constructed as to reduce the fire hazard to a minimum. Underground buildings to be fire-proofed.
- (9) Calcium carbide shall be stored on the surface only, in a suitable dry place and in its original container. It shall only be taken into a change house or shaft house in sufficient quantity for the day's use, and such precautions shall be taken as will ensure its being safely handled. No carbide shall be taken underground except in suitable containers. Storage of carbide.
- (10) Suitable fire-fighting appliances shall be installed at all underground crushers, tipples and in dry shafts. Fire-fighting appliances.

Escapement
shafts.

- (11) In every mine where a vertical or inclined shaft has been sunk to a greater depth than 100 feet and lateral workings have been extended for a distance of 200 feet or more from the shaft and stoping has commenced there shall be provided and maintained, in addition to the hoisting shaft or the opening through which men are let into or out of the mine and the ore is extracted, a separate escapement shaft or opening. Such auxiliary exit shall not be less than fifty feet from the main hoisting shaft. Any structure covering such auxiliary exit shall be of such material and so constructed as to reduce the fire hazard to a minimum. If such an escapement shaft or opening is not in existence at the time that stoping is commenced, work upon it shall be begun as soon as stoping is commenced and shall be diligently prosecuted until the same is completed and means of escapement other than the main shaft shall be provided to and connected with the lowest level on which stoping operations are being carried on. The escapement shaft or opening shall be of sufficient size to afford an easy passageway, and shall be provided with good and substantial ladders from the deepest workings to the surface. With the exception of any erection used solely as a shaft house, no permanent building, for any purpose, shall be erected within fifty feet of the mouth of a mine, unless there is such an auxiliary exit.

Legible signs
showing
exits.

- (12) Legible signs showing the way to emergency exits shall be posted in prominent places underground and all workmen shall be instructed as to the location of auxiliary exits.

Equipment
for warning
workmen
under-
ground.

- (13) Every mine producing over one hundred tons of ore per day shall be equipped with a suitable apparatus for giving a warning signal to the men underground. Until such time as the Chief Inspector shall direct otherwise an approved apparatus for the introduction of ethyl mercaptan into the compressed air line shall be made available and kept ready for instant use for the foregoing purpose.

Installation
of boilers.

- (14) No boiler shall be installed within one hundred feet of the collar of any shaft.

Fire doors.

- (15) Where practicable, there shall be a sufficient number of fire doors installed underground in every mine to cut off the shaft from the other workings of the mine.

- (16) Where the Chief Inspector deems it necessary or ^{Refuge stations within mines.} advisable for the protection of workmen employed underground, he may order refuge stations to be provided and maintained at such places within the mine as he may direct and every such refuge station shall have water, air and telephone connections to the surface and be separated from the adjoining workings by closeable openings so arranged and equipped that gases can be prevented from entering the refuge station.
- (17) (a) Where the Chief Inspector deems it necessary ^{Connection between mines.} or advisable for the protection of workmen employed underground he may recommend in writing, to the Minister, that a connection between mines be established at such place as he deems advisable and he may further recommend that such connection be so made and equipped as to constitute a refuge station or refuge stations. Upon the approval by the Minister of any such recommendation a copy thereof, accompanied by a copy of this regulation shall be served personally upon or mailed by registered post to the owner or the agent and the manager of each of the mines affected.
- (b) Upon the approval of any such recommendation of the Chief Inspector the Minister may in writing signed by him appoint a committee of three persons who shall determine,—

the design, specifications and locations of the connecting passages, bulkheads or other structures to be constructed in order to safeguard the present and future operations of the mines affected;

the work to be done by each of the mines affected and the proportion in which the cost of such work and of establishing and maintaining the connection shall be borne by the owners of the mines affected;

the time at which such work in compliance herewith shall be commenced and completed;

the proportion in which the costs and expenses of the committee shall be borne by the owners of the mines affected;

such other provisions or requirements as in the premises they may deem necessary or advisable.

- (c) The committee shall submit a report in writing to the Minister and a report of the majority of the committee shall be deemed to be the finding of the committee.
- (d) Upon the approval by the Minister of the report of the committee the Chief Inspector may issue his order for the establishment and maintenance of such connection and refuge station or stations (if any recommended) in accordance with the terms of such report. A copy of the report shall be attached to the order and form a part thereof. No such order shall be subject to appeal upon any ground whatsoever but shall be enforceable in the same manner as any order of the Chief Inspector.

Aid to Injured.

Stretchers
for con-
veyance of
injured
persons.

- (18) At every mine there shall be maintained a sufficient number of properly constructed stretchers for the proper handling and transporting of persons who may be injured in the discharge of their duties about the mine.

Supplies for
first aid.

- (19) There shall be provided and maintained at every mine for the treatment of anyone injured such first aid supplies as are required by the regulations of *The Workmen's Compensation Act*.

Rev. Stat.,
c. 179.

Antidotes
and washes.

- (20) At every mine or works where poisonous or dangerous compounds, solutions or gases are used or produced there shall be kept in a conspicuous place as near the same as practicable, a sufficient supply of satisfactory antidotes and washes for treating injuries received from such compounds, solutions or gases. Such antidotes and washes shall be properly labelled, and explicit directions for their use affixed to the boxes containing them.

Prevention of Dust.

Removal of
dust.

- (21) In every mill or plant where, by reason of dry crushing or otherwise, there is in the air of the building dust in quantity to be injurious to health, suitable apparatus shall be installed for its removal.

Handling Water.

- (22) Every working mine shall be provided with suitable and efficient machinery and appliances for keeping the mine free from water, the accumulation or flowing of which might endanger the lives of workmen in such mine or in any adjoining mine. Safety from water.
- (23) Where there is or may be an accumulation of water any working approaching the same shall have bore holes kept in advance, and such additional precautionary measures shall be taken as may be deemed necessary to obviate the danger of a sudden breaking through of the water. Bore holes necessary when approaching places likely to contain dangerous amount of water.
- (24) Every dam or bulkhead and its location shall be clearly shown on the mine plan, and in the design of every such dam or bulkhead the calculations shall be based on a factor of safety of ten and the structure erected in accordance with such calculations. Dams and bulkheads.
- (a) No such dam or bulkhead shall be erected without the permission of the Inspector being first had and obtained.
- (b) This rule shall not apply in the case of a small structure less than three feet in height used solely for diverting the ordinary level drainage and which does not impound any appreciable volume of water.

Ventilation.

- (25) The ventilation in every mine shall be such that the air in all of its workings that are in use or are to be used by workmen or others shall be free from dangerous amounts of noxious impurities and shall contain sufficient oxygen to obviate danger to the health of anyone employed in any such mine. In any mine workings where such conditions cannot be obtained by natural ventilation approved means for mechanical ventilation shall be provided and kept in operation until such workings have been abandoned or until satisfactory natural ventilation shall have been brought about therein. Ventilation.
- (26) All fans except auxiliary fans shall be above ground and shall be reversible and all fans and structures containing the same shall be fireproof. Fans.
- (27) No internal combustion engine shall be installed or operated underground in any mine. Internal combustion engine.

Sanitation.

Sanitary
conveni-
ences.

- (28) The manager of a mine shall provide or cause to be provided on the surface and in the underground workings sufficient and suitable sanitary conveniences in accordance with the following rules:
- (a) Where the number of persons employed on any shift does not exceed one hundred there shall be one sanitary convenience for every twenty-five persons or portion thereof;
 - (b) Where the number of persons so employed exceeds one hundred there shall be one additional sanitary convenience for every fifty persons or portion thereof over the first hundred.
- (29) These sanitary conveniences must be kept in a cleanly manner; must be adequately supplied with chloride of lime, sawdust, fine ash or other suitable absorbent; must be removed and cleaned regularly; must be conveniently placed with reference to the number of men employed on the different levels; and must be placed in a well-ventilated part of the mine.
- (30) Any person depositing faeces in any place underground other than in the sanitary conveniences provided, shall be guilty of an offence against this Act.

Dressing
room.

- (31) If more than ten persons to each shift are ordinarily employed in the mine below ground, sufficient accommodation, including supplies of clean cold and warm water for washing, shall be provided above ground near the principal entrance of the mine, and not in the engine room, boiler room, or nearer than fifty feet to the shaft house, for enabling the persons employed in the mine to conveniently dry and change their clothes.

Care and Use of Explosives.

Marking
strength on
original
packages of
explosives.

- (32) No explosive shall be used at any mine, unless there is plainly printed or marked on every original package containing such explosive the name and place of business of the manufacturer, and the strength, and the date of its manufacture. Every case of supposed defective fuse, detonator or powder shall be reported to the Inspector with the name

of the manufacturer and the serial number of the package from which such fuse, detonator, or powder was taken. Defective explosives to be reported.

- (33) Except as otherwise provided herein, all explosives shall be stored in special suitable buildings, such as magazines, thaw houses, detonator storage buildings or cap and fuse houses. Storage of explosives.

(a) No such building shall be erected or maintained at any mine except with the written permission of an Inspector, nor until the site of the building and the style of structure has been approved by him.

(b) Where possible, every such building shall be located in accordance with the British Table of Distances in respect of its distance from the mine or works or any other buildings or any public highway or public railway. Where conditions are such that it is impossible to locate such buildings in accordance with the British Table of Distances, the mine manager and the Inspector shall jointly choose the most suitable location.

(c) Every such building shall be constructed of materials to insure as far as possible against accident from any cause.

(d) The rules in reference to the care and use of explosives shall be kept posted up inside every such building.

(e) Every such building shall be kept securely locked at all such times as the attendant is not present and it shall be clearly indicated by some easily visible sign posted outside the building that explosives are stored therein.

- (34) Magazines, thaw houses, cap and fuse houses and explosives storage boxes shall at all times be kept clean and dry and free from grit. Magazines, thaw houses, etc.

- (35) Floors and shelves shall be washed at such regular intervals and with such materials as shall be approved by an Inspector and all traces of explosives shall be removed from floors and shelves. Floors and shelves.

What explosives to be used first.

- (36) When supplies of explosives are removed from a magazine those that have been longest in the magazine shall be used first provided they are not defective. In all cases where explosives have become defective they shall be suitably and safely disposed of.

Opening cases.

- (37) Only implements of wood, brass or copper shall be used in opening cases containing explosives.

Amount of explosives to be stored underground.

- (38) Explosives shall not be stored underground in any mine to an amount in excess of the necessary supply for twenty-four hours and in no case exceeding three hundred pounds in any one place, except with the written permission of an Inspector and subject to such conditions as he may prescribe.

Storage of explosives.

- (39) No explosive shall be stored within two hundred feet of any shaft station, or transformer station underground in any mine.

Storage of detonators.

- (40) Detonators shall not be stored in the same receptacle or storage building as other explosives.

Naked light.

- (41) No naked light shall be taken into any building or place where explosives are stored or within ten feet of any place underground where explosives are stored and no person shall smoke in any building or place where explosives are stored or while handling explosives.

Smoking.

Inspection of stores of explosives in a mine.

- (42) (a) The manager, captain or some other properly authorized person or persons shall make a thorough daily inspection of the condition of the explosives in or about the mine and shall make an immediate investigation when an act of careless placing or handling of explosives is discovered by or reported to him.
- (b) Any employee who commits a careless act with an explosive or where explosives are stored, or who, having discovered such an act to have been committed, omits or neglects to report immediately such act to an officer in charge of the mine, shall be guilty of an offence against this Act and the officer in charge of the mine shall immediately report such offence to the Inspector or to the Crown Attorney of the county or district in which the mine is situate.

Explosives not to be stored in closed mine.

- (43) When any mine is closed down all explosives shall be disposed of and no explosive may be stored in any such closed-down mine without permission of an Inspector.

- (44) No person shall take away from a mine any explosive without the written permission of the manager or of such person as may be authorized by the manager to give such permission. Explosives must not be moved from mine except by written permission of manager.
- (45) No building for thawing explosives shall be maintained in connection with any mine except with the written permission of an Inspector. The building shall be above ground, unless exemption obtained under the provisions of subsections 1 and 2 of section 162 direct otherwise, and the site of the building and the style of structure and equipment shall be subject to the approval of the Inspector. The building shall be under the direction of the manager or some person authorized by him. The quantity of explosives brought into any thawing house at any one time shall not exceed the requirements of the mine for a period of twenty-four hours, plus the amount that it may be necessary to have thawing to maintain that supply. Thawing houses.
- (46) A reliable recording thermometer shall be kept in the room in which explosives are thawed and the record thereof kept, but where the amount of explosives in such thawing room does not exceed two hundred pounds at any one time, the Inspector may give permission, in writing, to use a maximum and minimum registering thermometer on condition that a daily record of high and low temperature be made and kept on file. Thermometer necessary.
- (47) In no case shall powder be thawed near an open fire or steam boiler or by direct contact with steam or hot water. Thawing near open fire or steam boilers forbidden.
- (48) All electric wiring in powder magazines and thaws shall be installed in rigid conduit with screwed, waterproof joints, and such conduit shall be permanently grounded. Wiring in powder magazines and thaws.
- (49) The switches and fuses for lighting, heating or telephone circuits for powder magazines or thaws shall be installed in a locked fireproof cabinet on the outside of the building. The fuses for power used shall be such that they will interrupt the current at twenty-five per centum over the normal load. Fuses for lighting circuits shall not exceed 10-ampere capacity. Switches to be outside of powder magazines and thaws.
- (50) Where water is the medium used for the distribution of electrically generated heat for powder thaws the Electric heating of powder thaws.

radiation pipes shall be permanently grounded. No electrical device for generating heat shall be allowed in the same compartment with explosives. Wire or grid-type heaters shall not be installed in conjunction with any building in which explosives are stored or handled.

Handling
explosives.

- (51) Every possible precaution shall be taken in the handling and transportation of explosives.

Explosives
to be raised
or lowered
gently.

- (52) The hoistman shall gently lower or raise the cage or other conveyance containing explosives. No person shall place in or take out of the shaft conveyance any explosives except under the immediate supervision of the person authorized by the manager, mine captain or shift boss.

Explosives
to be left
only in
authorized
places at
stations.

- (53) No person authorized to distribute explosives shall leave the same except at a place duly provided therefor under the terms of this Act or with some other person authorized to take charge of the same.

Transporta-
tion of
detonators.

- (54) Detonators shall not be transported in any shaft conveyance with any other explosive unless placed in a separate suitable container.

Blasting on
contiguous
claims.

- (55) Where parties working contiguous or adjacent claims or mines disagree as to the time of setting off blasts, either party may appeal to the Inspector, who shall decide upon the time at which blasting operations thereon may be performed, and the decision of the Inspector shall be final and conclusive and shall be observed by them in future blasting operations.

Explosives
not to be re-
moved from
original con-
tainer.

- (56) No explosive shall be removed from its original paper container or cartridge.

Blasting of
roast heaps.

- (57) No explosive shall be used to blast or break up ore, salamander or other material where by reason of its heated condition there is any danger or risk of premature explosion of the charge.

Size of
drill holes.

- (58) All drill holes, whether sunk by hand or machine drills shall be of sufficient size to admit of the free insertion to the bottom of the hole of a stick or cartridge of powder, dynamite or other explosive, without ramming, pounding or pressure.

No iron or
steel to be
used in
charging
holes.

- (59) In charging holes for blasting, no iron or steel tool or rod shall be used, and no iron or steel shall be used

in any hole containing explosives, and no drilling shall be done in any hole that has been charged or blasted.

- (60) Every workman shall, before blasting, give or cause to be given due warning in every direction by shouting "Fire," and shall satisfy himself that all persons have left the working place except those required to assist him in blasting. Due warning required.
- (61) Every workman shall, before blasting, cause all entrances to the place or places where such blasting is to be done or where the safety of persons may be endangered by such blasting, to be effectively guarded, so as to prevent inadvertent access to such place or places while such charges are being blasted. Guarding entrances to places where blasting is to be done.
- (62) Except where fired electrically no fuse shorter than three feet shall be used in any blasting operation. In the case of a supposedly missed hole no person shall return to the place of blasting within thirty minutes of the time of lighting the fuse. In a working place where more than two shots have been fired, no person shall return to the scene of a blast within the number of minutes which are equal to twice the number of feet in the longest fuse used in the blasting operation at hand. Fuse
- (63) In no case shall a workman light the fuse without having a second light placed conveniently close. Second light necessary.
- (64) When a workman fires a round of holes he shall, where possible, count the number of shots exploding. If there is any report missing, he shall report the same to the mine captain or shift boss. If a missed hole has not been fired at the end of a shift, that fact, together with the location of the hole, shall be reported by the mine captain or shift boss to the mine captain or shift boss in charge of the next relay of workmen going into that working place before work is commenced by them. Reporting of missed holes.
- (65) A charge which has missed fire shall not be withdrawn, but shall be blasted and no drilling shall be done within a distance at any point of five feet of a missed or cut-off hole containing explosive until it has been blasted. Charge missing fire to be blasted.
- (66) No development heading shall be abandoned or work therein discontinued until the material broken at the firing of the last round shall have been cleared from the face and the whole face of the heading examined for explosives in missed or cut-off holes. Examination for missed or cut-off hole.

When blasting to be done by electric current.

- (67) After the first ten feet advance has been made in any shaft or winze, and after fifty feet advance has been made in any raise inclined at over fifty degrees from the horizontal, all blasting shall be done by means of an electric current.

Electric current to be disconnected after blasting.

- (68) A workman shall not, where blasting takes place by electricity, enter or allow other persons to enter the place or places where the charges have been fired until he has disconnected the cables from the blasting battery or other source of current.

Restrictions on use of electricity for shot firing.

- (69) (a) Electricity from lighting or power cables shall not be used for firing shots except when a special firing device which automatically opens the circuit by gravity is provided. The live side of such device shall be installed in a fixed locked box and shall be accessible only to the authorized shot firer.

- (b) One such device shall be maintained for each individual working place in which firing is done by means of electricity from lighting or power cables.

Connection and disconnection.

- (70) The firing cables or wires shall not be connected to the firing device until immediately before they are required for the firing of shots, and shall be disconnected immediately after the shots are fired.

Firing cables.

- (71) The firing cables or wires used for firing shots at one working place shall not be used for firing shots in another working place until all proper precautions have been taken to insure that such firing cables or wires have not any electrical connection with the leads from the first working place.

Precautions in using shot-firing cables.

- (72) When shot-firing cables or wires are used in the vicinity of power or lighting cables, sufficient precautions shall be taken to prevent the shot-firing cables or wires coming in contact with the lighting or power cables.

Protection in Working Places, Shafts, Winzes, Raises, etc.

Fencing of shafts and other openings.

- (73) The top of every shaft shall be securely fenced or protected by a gate or guard rail, and every pit or opening dangerous by reason of its depth shall be securely fenced or otherwise protected.

Guard rail at shaft and winze openings.

- (74) (a) At all shaft and winze openings on the surface and on every level, unless securely boarded off, a gate not less than four feet in height or a substantial

guard rail not less than three feet or more than four feet above the floor shall be provided and kept in place except when the cage, skip or bucket is being loaded or unloaded at such level, provided that when a guard rail is used there shall be maintained in conjunction therewith a toe board constructed of four-inch by four-inch material.

- (b) Where mechanical haulage tracks lead up to any shaft or winze compartment on the surface or underground there shall be provided on such compartment a substantial gate or barricade reinforced in such manner that it shall be sufficiently strong to withstand any impact imparted thereto by collision therewith of any motor or train and such gate or barricade shall be kept in place except when the cage, skip or bucket is being loaded or unloaded at such level.
- (75) Every shaft shall be properly timbered and such timbering shall be maintained within a distance of forty feet of the bottom of the shaft during sinking operations. Shaft to be timbered.
- (76) Where a drift extends from a shaft in any direction on a level, a safe passage way and standing room for workmen shall be made on one or both sides of the shaft to afford protection against falling material. Protection of workmen in drifts.
- (77) During shaft-sinking operations no work in any other place in the shaft shall be done, nor shall any material or tools be hoisted or lowered from or to any other place in the shaft while men are at work in the bottom of the shaft unless the men so at work be adequately protected from the danger of falling material. Protection of men while sinking shaft.
- (78) Where the enclosing rocks are not safe every adit, tunnel, stope, or other working in which work is being carried on, or persons passing, shall be securely cased, lined or timbered, or otherwise made secure. Securing walls of tunnels, etc.
- (79) (a) All raises inclined at over fifty-five degrees from the horizontal which are to be carried up more than sixty feet shall be divided into at least two compartments, one of which shall be maintained as a ladder-way and equipped with suitable ladders. The timbering shall be maintained within a distance of twenty-five feet of the face of the raise. Raises over fifty-five degrees.

Raises between fifty and fifty-five degrees.

- (b) All raises inclined at over fifty degrees from the horizontal but under fifty-five degrees which are to be carried up more than one hundred feet shall be divided into at least two compartments, one of which shall be maintained as a ladderway and equipped with suitable ladders in that portion at least which lies above seventy-five feet from the bottom of the raise. The timbering shall be maintained within a distance of twenty-five feet of the face of the raise.

Precautions as to broken material.

- (80) Wherever, at any mine, chutes are pulled where persons may, either at the time of pulling or some future time, be required to go out on the broken material above, sufficient precaution shall be taken to ascertain that the broken material is settling freely and where there is any indication of a hang-up the location shall be adequately protected by suitable signs or barricades and any persons working in the vicinity notified of the danger.

Top of mill hole in stope to be covered.

- (81) The top of every mill hole in a stope shall, as far as practicable, be kept covered.

Procedure before drilling.

- (82) Before drilling is commenced in any working place the exposed face shall be blown over with compressed air or water under pressure and carefully examined for misfires and sockets.

Unused workings to be tested for gas.

- (83) Underground workings, especially shafts, sumps and winzes, which have been in disuse for some time shall be examined before being again used, in order to ascertain whether foul air or other dangerous gases have accumulated there, and only such workmen as may be necessary to make such examination shall be allowed to proceed to such places until such places are in a fit state to work or travel in.

Examination of mine workings.

- (84) The owner, manager, or some authorized person or persons shall examine daily all parts of the mine where drilling and blasting is being carried on; shall examine at least once a week the other portions of a mine in which operations are being carried on, such as shafts, winzes, levels, stopes, drifts, crosscuts and raises, in order to ascertain that they are in a safe working condition; shall inspect and scale or cause to be inspected and scaled the roofs of all stopes or other working places as often as the nature of the ground and of the work performed necessitates.

- (85) The owner or manager shall provide and maintain an adequate supply of properly dressed scaling bars and gads and other equipment necessary for scaling. Scaling bars and gads.
- (86) The owner or manager shall, when necessary, provide life lines for the workmen and it shall be the duty of the workmen to continually wear such life lines while working in dangerous places. Life lines to be used.
- (87) Every dusty place where work is being carried on in a mine shall be adequately supplied at all times with clean water under pressure or other approved appliances for laying the dust caused by drilling or blasting operations. Keeping water supply to lay dust.
- (88) The times for blasting shall be so fixed that the workmen shall be exposed as little as practicable to dust and smoke. Time for blasting.

Ladderways.

- (89) A suitable footway or ladderway shall be provided in every shaft. Ladders in shaft.
- (90) The ladder or passageway in a shaft or winze shall be separated by a substantial, closely boarded partition from the compartment or division of the shaft or winze in which the material is hoisted. Foot ladder or passage in shaft to be separated from hoist.
- (91) In a shaft inclined at over seventy degrees from the horizontal a substantial platform shall be built at intervals not exceeding twenty feet in the ladderway, and the same shall be closely covered except for an opening large enough to permit the passage of a man's body, and the ladders shall be so placed as to cover this opening in the platform. Ladders and platforms in steeply inclined shafts.
- (92) In a shaft inclined at less than seventy degrees but more than fifty degrees from the horizontal the ladders may be continuous, but platforms shall be built at intervals not exceeding twenty feet, and so covered that only an opening large enough for the passage of a man's body is provided. Stairways may be used in a shaft inclined at less than fifty degrees from the horizontal. Ladders and platforms and stairways in shafts of a low angle.
- (93) Wire rope or strands of wire rope shall not be used or be allowed to be used for climbing purposes in any mine if they are frayed or have projecting broken wires. Wire rope ladders.

Hand rails
for ladders.

- (94) Every ladder shall project at least three feet above its platform, except where strong hand rails are provided.

Ladders.

Ladders.

- (95) (a) Every ladder used shall be of strong construction, shall be securely placed in any shaft, winze, raise, or stope, and shall be maintained in good repair.
- (b) The distance between centres of rungs of ladders shall not be greater than twelve inches or less than ten inches, and the spacing of rungs shall not vary more than one-half inch in any particular ladderway.
- (c) In order to give a proper foothold the rungs shall in no case be closer than four inches from the wall of a shaft, winze, or raise, or any timber underneath the ladder.

Shaft Equipment.

Raising and
lowering
material.

- (96) Where steel, timber or other material is being raised or lowered in any shaft or winze it shall be securely fastened to the shaft conveyance or hoisting rope.

When to be
lined with
lumber.

- (97) When a crosshead is not used the shaft compartment in which the bucket works shall be closely lined with sized lumber.

Safety ap-
pliances for
crossheads.

- (98) All crossheads shall be provided with a safety appliance of approved design so constructed that the crosshead cannot stick in the shaft without also stopping the bucket. Such safety appliances shall be subject to the approval of the Inspector.

Bucket or
skip not to
be filled
above level
of brim.

- (99) In a shaft or winze, in the course of sinking, the bucket or skip shall not be filled with loose rock above the level of the brim.

Bucket or
skip to be
stopped
fifteen feet
from
bottom.

- (100) In a shaft or winze, in the course of sinking, the bucket or skip shall not be lowered directly to the bottom of the shaft if there are men working there, but shall be held at least fifteen feet above the bottom, and shall remain there until the signal to lower same has been given by the men on the bottom.

Bucket to be
steadied.

- (101) No bucket shall be allowed to leave the top or bottom of any shaft or winze until the workman in charge thereof has steadied it or caused it to be steadied.

Raising or Lowering Persons.

- (102) Whenever a mine shaft exceeds four hundred feet in vertical depth a suitable cage or skip equipped as required by Rule 104 of this section, shall be provided for lowering or raising men in the shaft. Cage or skip for raising and lowering workmen.
- (103) No cage shall be used for the raising or lowering of persons unless it is so constructed as to prevent any portion of the body of any person riding therein from accidentally coming into contact with the timbering or sides of the shaft or winze. Doors shall be so fitted that they cannot be accidentally opened and shall be closed when lowering or hoisting men. Protection from contact with timbering, etc.
- (104) All cages or skips for lowering or raising men shall be constructed as follows: Cages or skips, how to be constructed.
- (a) The hood shall be made of steel plate not less than three-sixteenths of an inch in thickness; Hood.
 - (b) The cage shall be provided with sheet iron or steel side casing not less than one-eighth of an inch in thickness, and not less than five feet in height, and with doors made of suitable material; Casing.
 - (c) The doors shall extend at least five feet above the bottom of the cage, and shall be closed when lowering or hoisting men; Doors.
 - (d) The safety appliances shall be of sufficient strength to hold the cage or skip with its maximum load at any point in the shaft, as provided in clause *b* of Rule 124 of this section; but the Chief Inspector may give permission, in writing, for hoisting, without safety appliances, if he is satisfied that the equipment is such that a maximum of safety is provided; Safety catch.
 - (e) The cage shall not have chairs attached thereto which are operated by a lever or a chain through or from the floor of the cage. Operating chairs by lever.
- (105) No person shall travel or be permitted to travel in a bucket, cage or skip operated by an engine which is being simultaneously used for the hoisting of mineral or material, except as provided for in clause *c* of Rule 106. Hoisting men and material simultaneously.

When persons not to be hoisted.

- (106) No person shall be lowered or hoisted, or allow himself to be lowered or hoisted, in a shaft, winze or other underground opening of a mine:

In buckets or skips.

- (a) In a bucket or skip, except that men employed in shaft sinking will be allowed to ascend and descend to and from the nearest level or other place of safety by means of the bucket or skip used for hoisting material, but there shall always be a suitable ladder in the shaft to provide an auxiliary means of escape;
- (b) In a cage or skip, except as provided in clause *a* of Rule 106 and clause *d* of Rule 104, which is not provided with a hood, dogs or other safety appliances approved by the Inspector;
- (c) In a cage, skip or bucket that is loaded with powder, steel or timber except for the purpose of handling the same;
- (d) In a cage, skip or bucket in which any material is carried, unless the same be adequately secured.

Hoisting after stoppage for repairs.

- (107) After any stoppage of hoisting for repairs and, after stoppage for any other purpose, which shall exceed two hours' duration, no person shall be raised or lowered until the cage or skip has made one complete trip up and down the working portion of the shaft.

Hoisting.

Hoisting with horse and pulley-block.

- (108) Hoisting from mine workings with horse and pulley-block is forbidden.

Brakes required.

- (109) Where hoisting is done by means of an engine an adequate brake or brakes shall be attached to the drum of the hoist and kept in proper working order.

Type of brake.

- (110) Such brakes shall be so arranged that, whether the engine is at work or at rest, they can be easily and safely manipulated by the hoistman when standing at the levers controlling the engine. No hoist used for the raising or lowering of persons, or used in shaft sinking, shall be equipped with a brake or brakes operated by means of the hoistman's foot unless such brake is an auxiliary electrical device. The adjustments of the brake or brakes shall be maintained in

such condition that when the normal power of the brake or brakes is applied the brake lever will still have a clearance between itself and the ends of the quadrant in which it works.

- (111) The operating gear of the clutch of the drum shall be provided with locking gear to prevent inadvertent withdrawal of the clutch. Locking gear.
- (112) Such bolts and other fittings of the drums, brakes and clutches as might be a source of danger in the event of their becoming loosened shall be rendered secure by means of suitable locking devices. Locking devices.
- (113) All electric hoists fitted with mechanically operated brakes shall be so installed that:
 - (a) the mechanically operated brakes will be applied automatically the moment the power supply fails; Automatic brakes.
 - (b) in case of a heavy overload, such as would be caused by the shaft conveyance leaving the rails or becoming jammed in the shaft, a circuit breaker will cut off the power and thus allow the mechanically operated brakes to come into play; Circuit breaker.
 - (c) a suitable overwind device, which can be set to engage shaft conveyance at any point in the head-frame, will cut off the current, in case of an overwind past this point, and thus allow the mechanically operated brakes to come into play. In default of a device of this nature the hoist shall be equipped with some other form of satisfactory and dependable overwind device. Such devices shall be tested out by the hoist man at least once a week; Overwind device.
 - (d) the brakes shall, on failure of the power supply, be put into play by mechanical means, preferably gravity, and shall in no case be operated by an auxiliary electric current; Brakes operated by mechanical means.
 - (e) the brake and clutch operating gear shall be so interlocked that it shall not be possible to release the brake while the clutch of the corresponding drum is disengaged. Interlock.

Brakes to
be tested.

- (114) The operator of a hoisting engine shall not, after going on shift, unclutch a drum of his engine until he has assured himself immediately beforehand, by testing the brake of the drum against the normal starting power of the engine, or in case of an electric hoist against the normal starting current, that the brake is in proper condition to hold the load suspended from said drum.

Friction
clutches.

- (115) When the hoisting engines are fitted with friction clutches, the operator, after going on shift, shall, when clutching in, test the holding power of the clutch before releasing the brake of the corresponding drum, the brake of the other drum being kept off. In case of a steam or air hoist, the test shall be made against the normal starting power of the engine, and in case of an electric hoist against the normal starting current.

Use of
brake when
drum un-
clutched.

- (116) When the drum of a hoist is unclutched, the brake of such drum shall be used only for the purpose of maintaining such drum in a stationery position and no lowering shall be done from an unclutched drum.

Auxiliary
brake
required.

- (117) In case of non-reversible steam or air hoists and single-drum electric hoists, not used in balanced hoisting, an adequate auxiliary brake shall be installed before the same shall be used for hoisting or lowering men, but non-reversible steam or air hoists with throttle-controlled exhaust shall not require such auxiliary brake.

Indicator
required.

- (118) Every hoisting engine shall, in addition to any marks on the rope, be provided with a reliable depth indicator, which will clearly and accurately show to the operator at all times:

(a) the position of the bucket, cage or skip;

(b) at what positions in the shaft a change of gradient necessitates reduction in speed;

Exemption.

but this rule shall not apply to hoisting engines used in sinking operations when the hoistman has an unobstructed view of the landing station and the distance from the landing station to the bottom of shaft does not exceed three hundred feet.

Operation of
indicator.

- (119) An indicator shall not be operated by a chain and sprocket arrangement but shall be driven by a suitable train of gears from its corresponding drum of the hoist.

- (120) In every shaft exceeding six hundred feet in depth adequate provision shall be made whereby the hoist-man is warned of the arrival of the bucket, cage or skip at a point in the shaft, the distance of which from the top landing place is not less than the equivalent of three revolutions of the drum of the hoisting engine. Warning signal.
- (121) On the drum of every machine used for lowering or raising persons there shall be such flanges or horns, and also, if the drum is conical, such other appliances as may be sufficient to prevent the rope or cable from slipping off. Slipping of rope on drums.
- (122) The connection between the hoisting rope and the bucket, counterweight, cage, skip or other means of conveyance shall be of such a nature, that the risk of accidental disconnection is reduced to a minimum. Connections between rope and bucket, etc.
- (123) The owner or manager of a mine, where a hoisting engine is in use, shall depute some competent persons or persons whose duty it shall be to examine at least once in each week the sheave wheels, the hoisting rope and the attachments thereof to the drums and to the counterweights, buckets, cages or skips, the brakes and depth indicators and the buckets, counterweights, cages and skips and any safety catches attached thereto; the guides and hoisting compartments generally and the signalling arrangements; and the external parts of the hoisting engine. Examination of hoisting equipment required.
- (124) Such owner or manager shall also depute a competent person or persons who shall examine,— Examination of cables.
- (a) at least one in each month the structure of the hoisting ropes with a view to ascertaining the deterioration thereof and for the purposes of this examination the rope must be thoroughly cleaned at points to be selected by said person or persons, who shall note any reduction in the circumference of, and the proportion of wear in, the rope;
 - (b) at least once a month the safety appliances of the cages or other shaft conveyances, so equipped, by testing same under load conditions; such test to consist of releasing the cage suddenly, in some suitable manner, so Safety appliances to be tested monthly.

that the safety catches shall have opportunity to grip the guides; and in case the safety catches do not act satisfactorily, the cage or other shaft conveyance shall not be used further for hoisting men until the safety catches have been repaired and been proved to act satisfactorily.

Defects to be remedied at once.

- (125) If, on any examination, as is hereinbefore required there is discovered any weakness or defect by which the safety of persons may be endangered, any such weakness or defect shall be immediately reported to the owner or manager or person in charge, and until such weakness or defect is remedied the hoisting plant shall not be used.

Machinery Record Book to be provided.

- (126) Such owner or manager shall keep or cause to be kept at the mine a book to be termed the "Machinery Record Book," in which shall be recorded a true report of every such examination as is hereinbefore referred to, signed by the person making the examination.

History of rope necessary.

- (127) No hoisting rope which has previously been in use in any place beyond the control of the owner or manager shall be put on anew except with the permission of the Inspector.

Hoisting rope not to be spliced.

- (128) In no case shall a rope which has been spliced be used for hoisting purposes.

Length of ropes required on drum when skip is at the bottom.

- (129) In case of hoisting engines there shall be not less than three rounds of rope upon the drum when the bucket, cage or skip is at the lowest point in the shaft or winze from which hoisting is effected. The end of the rope shall be properly fastened around the shaft or to the spider of the drum.

Hoisting both men and materials.

- (130) In case a hoisting rope is used both for the raising and lowering of men and materials, the weight attached to the rope in the former case, when the bucket, cage or skip is bearing its authorized load shall not exceed eighty-five per centum of the maximum allowable weight when the rope is in use for other purposes.

Rope certificate necessary.

- (131) (a) No hoisting rope shall be used which is not accompanied by a certificate from the manufacturer giving the following information: name and address of manufacturer, coil or reel number, date of

manufacture, diameter and circumference of the rope in inches, weight per foot in pounds, number of strands, class of core, number of wires in strand, diameter of wires in decimals of an inch, breaking stress of steel of which the wire is made, in tons per square inch, estimated or actual breaking load of rope, length of rope.

- (b) The foregoing data along with the additional following information shall be entered in a book known as the "Rope Record Book," and duplicate copies forwarded to the Chief Inspector when a hoisting rope is newly put on: date of purchase, date on which put on, identification number (where used) of the rope, name of shaft or winze and compartment in which the rope is used, weight of shaft conveyance, weight of material carried, weight of maximum length of rope in service, static factor of safety.
- (c) There shall be kept in the Rope Record Book a history of the hoisting rope, outlining the date on which the rope was put on, certification of trial trips and examinations required by Rule 132, date of shortening, dates and summaries of breaking tests, date taken off.
- (d) The Rope Record Book shall always be open for inspection by the Inspector.
- (e) When a hoisting rope is taken out of service, notice to that effect shall be forwarded to the Chief Inspector, giving the date and reasons for discarding along with such other information as he may require.
- (132) A hoisting rope when newly put on, and after any subsequent cutting thereof, shall have the connecting attachments between the bucket, cage, skip, or counterweight and the rope carefully examined by some competent and reliable person or persons authorized by the owner, manager, or department head, and shall not be used for ordinary transport of persons in any shaft or winze until two complete trips up and down the working portions of such shaft or winze have been made, the bucket, cage, skip or counterweight bearing its authorized load. The result of such examination shall be recorded in the Rope Record Book. Examination of attachments.
- (133) The factor of safety of all hoisting ropes when newly installed in shafts less than two thousand feet in depth shall in no case be less than six, and in shafts Factor of safety of hoisting rope.

over two thousand feet in depth and less than three thousand feet in depth shall not be less than five. The factor of safety shall be calculated by dividing the breaking strength of the rope as given in the manufacturer's certificate by the sum of the maximum load to be hoisted plus the total weight of the rope in the shaft when fully let out:

- (a) No hoisting rope shall be used for the raising or lowering of men when its factor of safety based on its existing strength and dead load shall have fallen below 4.5.
- (b) No hoisting rope shall be used for the raising or lowering of men when the number of broken wires in one lay of said rope exceeds six, or when marked corrosion appears.

Rope
dressing.

- (134) Every hoisting rope shall be treated with a suitable rope compound as often as necessary and at least once in every month.

Testing
portion of
rope.

- (135) At least once in every six months the hoisting rope shall have a portion not less than six feet in length cut off the lower end. The length so cut off shall have the ends adequately fastened with binding wire to prevent the disturbance of the strands and shall be sent to a reliable testing laboratory for a breaking test. The certificate of such test shall be kept on file and a summary thereof recorded in the Rope Record Book.

Cleaning and
examination
of rope
connection.

- (136) At the periodical cutting of the rope the connection between the rope and the bucket, cage, or skip shall be thoroughly cleaned and carefully examined.

Head
sheaves.

- (137) Head sheaves shall be of such diameter as shall be suited to the rope in use.

Counter-
weights.

- (138) Wherever a counterweight is used in a shaft it shall operate in a separate and safely enclosed compartment. The cable from the counterweight shall be attached to the drum of the hoist and not to the cage or skip.

Signals.

Signalling.

- (139) Every working shaft which exceeds fifty feet in depth shall be provided with some suitable means of communicating by distinct and definite signals from

the bottom of the shaft and from every level for the time being in work between the surface and the bottom of the shaft, to the hoist room.

- (140) Where an electrical signal system is installed the ^{Electrical signal systems.} system shall be so arranged that the hoistman may return the signal to the person giving the signal when men are being hoisted or lowered.

- (141) All methods of signalling in a mine shall be printed ^{Code of signals.} and posted up in the engine house or hoist house and also at the top of the shaft and at the entrance of each level.

The following code of mine signals shall be used at every mine:

Code of Mine Signals.

- 1 bell Stop immediately—if in motion.
 1 bell Hoist.
 2 bells Lower.
 3 bells Men about to ascend or descend. The 3-bell signal must be given before men enter the cage. When the hoistman receives this signal, he must not move cage for ten seconds after he has received the balance of the signal. In case he is unable to act within one minute of the time he has received the signal, he shall not move hoist until he receives fresh signal. When the hoistman receives a 3-bell signal he shall remain at his levers until the full signal has been received and the act of hoisting or lowering completed.
- 4 bells Blasting signal. Hoistman must answer by raising bucket, skip or cage a few feet and letting it back slowly, then one bell, hoist men away from blast.
- 9 bells Danger signal in case of fire or other danger. Then ring number of station where danger exists.
- (142) Special signals, in addition to the above, may be ^{Special signals.} used at any mine provided they are easily distinguishable by their sound or otherwise from the foregoing code and do not interfere with it in any way and have been approved by the Chief Inspector.

Signal to be given only by authorized person.

- (143) No person, unless duly authorized, shall give any signal for moving or stopping the bucket, cage or skip. No signal shall be given unless the bucket, cage or skip is at the level from which the signal is to be given. No unauthorized person shall give any signal, other than the danger signal, or in any way whatsoever interfere with the signalling arrangements.

Notices to be posted showing number of men permitted to ride.

- (144) A notice showing clearly the number of persons allowed to ride on, and the weight of materials allowed to be loaded on the cage or skip shall be posted at the collar of the shaft. The person authorized to give signals will be held responsible for observance of such notice. No person shall offer obstruction to the enforcement of such notice.

Haulage.

Riding on loaded cars, etc.

- (145) No person shall ride upon or against any loaded car in any level, drift or tunnel in or about any mine. In mechanical haulage this shall not apply to train crews.

Clearance between cars and sides of level.

- (146) On every level on which mechanical haulage is employed, a clearance of at least eighteen inches shall be maintained between the sides of the level and the cars, or there shall be a clearance of twenty-four inches on one side, or safety stations shall be cut every one hundred feet.

Control levers.

- (147) Control levers of storage and trolley locomotives shall be so arranged that the lever cannot accidentally be removed when power is on.

Protection from Machinery.

Fly-wheel, geared-wheel, etc.

- (148) Every fly-wheel, geared-wheel, bull-wheel, pulley or belt, and every opening through which any wheel or belt operates, shall be enclosed with a substantial railing or casing, unless situated in such a manner or location as to prevent any person coming into accidental contact therewith.

Uneven projections to be covered.

- (149) Every key, bolt, set-screw, and every part of any wheel or other revolving machinery which projects unevenly from the surface shall be covered, unless situated in such a manner or location as to prevent any person coming into accidental contact therewith.

- (150) Every power-driven grinding wheel shall be provided with a hooded guard of sufficient strength to withstand the shock of a bursting wheel. This guard shall be adjusted close to the wheel and extend forward, over top of the wheel, to a point at least thirty degrees beyond a vertical line drawn through the centre of the wheel. Grinding wheels to be guarded.
- (151) Persons engaged in dangerous proximity to moving machinery shall not wear or be allowed to wear loose outer clothing. Wearing loose clothing.
- (152) Every runway or staging more than five feet from the floor and used for oiling or other purposes shall be provided with a hand railing. Runway to have hand-railing.
- (153) Every entrance to any elevator, hatchway, or well-hole shall be provided with a suitable trap-door, guard-rail, or automatically closing gate. Protection of entrances.
- (154) Every counterweight shall be so situated or guarded that injury to any person would not be probable should it become detached from its fastenings. Counter-weights.
- (155) Every frog in a track, either above or below ground, on which cars are moved by mechanical power shall have a guard block of wood or iron. Frogs in tracks.
- (156) Every locomotive, engine, trolley or motor car used for hauling material, either above or below ground, shall be equipped with a gong, bell or whistle, which shall be sounded when starting and at such other times as warning of danger may be required. Gongs, etc., on hauling, engines.

Boilers.

- (157) Every steam boiler used for generating steam in or about a mine shall, whether separate or one of a range,— Steam boilers.
- (a) have attached to it a proper safety-valve, and also a proper steam-gauge and water-gauge, to show respectively the pressure of steam and the height of water in each boiler; Safety valves.
 - (b) be inspected by an Ontario Government boiler inspector or by an inspector of a boiler insurance company at least once in every twelve months; and a certified copy of the report of the inspection shall be forwarded to the Inspector within seven days. Boiler inspection.

Mainten-
ance.

- (158) Every such boiler, safety-valve, steam-gauge and water-gauge shall be maintained in proper working condition.

Sand and Gravel Pits.

Under-
mining
forbidden.

- (159) In open-pit workings of sand and gravel the method of removing material by undermining shall not be allowed. No vertical working place shall have a height of more than ten feet; where the thickness of material to be excavated exceeds ten feet in depth, the work shall be done in terraces, or at an angle of safety. This rule shall not apply to pits where the material is excavated solely by mechanical means.

Metallurgical Works.

Guard rails
at track
approaches.

- (160) Guard rails shall be placed at the approach to railway tracks, where the view of such tracks is obstructed in one or both directions.

Ventilation.

- (161) At all furnaces of the hand-filled type the room at the furnace top where workmen are engaged shall be adequately ventilated, and there shall be provided and maintained in good order a stairway equipped with hand-rail, from the top of the furnace to the ground level below, affording a safe means of exit in case of danger from any cause.

Protecting
workmen.

- (162) Whenever it is necessary for a workman to go up on the bustle pipe for any purpose, he shall first notify the furnace keeper or some other responsible person, whose duty it shall be to remain on watch during the period the workman is engaged on the bustle pipe.

Protection
from bustle
pipes.

- (163) All bustle pipes shall be provided with safe working platforms, equipped with hand-rails, at least three feet six inches in height, and wherever practicable the platform shall not rest directly on the bustle pipe, but be supported on angle bars, so that the floor plate will not become sufficiently hot to cause burns to a workman falling on it. Access to the platform shall be by stairway provided with hand-rails.

Guarding
workmen on
top of
furnace.

- (164) Whenever it becomes necessary for a workman to go on top of the furnace for oiling, cleaning, or other duty, he shall notify the foreman or other responsible person, who shall see that not less than two men go on top for any purpose. It shall be the

duty of one workman to act as watcher and to give the alarm to the stock house, cast house, or bell operator, and render every possible assistance in case of danger from gassing or other causes.

- (165) Life lines and belts in good order shall be provided and kept in some secure and readily accessible place for immediate use in case it becomes necessary to rescue a workman from the top rigging, and also for use by any workman whose duties require him to work in an atmosphere which is liable to become dangerous by reason of the presence of noxious gases. Life lines.
- (166) Workmen employed at metallurgical works shall be supplied with suitable shields and appliances to protect them as far as possible from being burned with molten material. Shields for protection against burning.
- (167) A proper and adequate line of communication by telephone, gong or other mechanical means shall be maintained between the furnace top and all other dangerous places, and the cast house, skip operator's room, or other place where workmen are continuously on duty. Line of communication.
- (168) All stairways shall be inclined at an angle not greater than fifty degrees from the horizontal, and provided with landings or turn-outs, at intervals of twenty-five feet, so that it will not be possible for a workman to fall from the top to the foundation landing below. Stairways protected.
- (169) Every foreman shall personally supervise or appoint a competent assistant to supervise any work around the furnace involving unusual accident hazard, such as work in gas mains or cleaners, tearing out linings, work in the cast house, about the stoves when blowing in or blowing out, and any work about the bells or stock line. He shall also, when the furnace is known to be hanging and liable to slip, see that no workman is allowed on top for any purpose. Supervision of hazardous work.
- (170) Stock piles of ore, limestone, coke or other material shall be inspected daily by some authorized person whose duty it shall be to see that they are in a safe working condition. Inspection of stock piles.

Protection
around bell.

- (171) Whenever ore becomes frozen in the hopper and workmen are required to bar the same into the furnace, a proper guard-rail shall be provided to prevent workmen slipping on to the bell, and all workmen so engaged shall be equipped with belt and life line.

Rescue
apparatus.

- (172) There shall be maintained at all blast furnaces in a readily accessible place breathing apparatus and portable resuscitating apparatus of approved type, with an adequate supply of oxygen and absorbent material. There shall always be on duty in each working shift a workman or workmen appointed by the superintendent and trained in the use of breathing and resuscitating apparatus.

Cranes and Elevators.

Age of
elevator
operator.

- (173) No person under the age of eighteen years shall be allowed to operate an elevator.

Age of crane
operator.

- (174) No person under the age of eighteen years shall be allowed to operate a crane.

Over-
winding
devices.

- (175) Every crane shall be equipped with suitable devices to prevent overwinding.

Rules for
crane ropes.

- (176) All hoisting ropes used on cranes shall be subject to the same rules as are laid down for hoisting ropes at mines.

Daily exam-
ination of
cranes.

- (177) The owner or manager shall depute some qualified person or persons to examine daily such parts of the cranes or apparatus pertaining thereto upon the proper working of which the safety of persons depends. A record of such examinations shall be kept.

Folding
gates.

- (178) Every entrance to a hoistway shall be provided with a substantial door or doors or gate or gates at least six feet in height. All folding gates over three feet wide shall have top, bottom and centre braces.

Lighting.

- (179) Every hoistway landing and place where machinery is erected shall be well lighted.

Guarding
hoistway.

- (180) When a hoistway is not enclosed in walls, access to the hoistway by means of an adjacent stairway, platform or floor, which is not an authorized landing, shall be prevented by means of a partition to a height of at least six feet.

- (181) All guide rails for cars and counterweights shall be ^{Guide rails.} of substantial construction, and shall be securely fastened to the sides of the hoistway, and the bottom ends shall rest on a secure foundation, and be firmly fixed in that position.
- (182) On every elevator hereafter installed a clear space ^{Clearance for car.} of not less than three feet shall be provided between the bottom of the hoistway and the lowest point of the car when the car is at its lowest landing, and between the top of the car and the sheave when the car is at its top landing, and also between the top of the counterweight and the sheave when the car is at its lowest landing.
- (183) Every elevator shall be provided with automatic ^{Automatic safety devices.} devices at the top and bottom of the travel of a car in the hoistway, so arranged that the car will be stopped before it has travelled two feet above the top landing, or two feet below the bottom landing, and all drum hoists shall, in addition, be fitted with automatic stop motions to prevent overwinding.
- (184) All counterweights shall have their sections strongly ^{Protecting counterweights.} bolted together, and shall be so situated that they cannot fall upon any part of the elevator or machinery, and shall be suspended in their guides in such a manner that they will run freely without danger of being detached. Where counterweights run in the same hoistway as the car they shall be protected with a substantial screen of iron or steel from top of guides to a point fifteen feet below.
- (185) Every elevator on which any person travels shall be ^{Protection on elevator.} provided with side casing, and shall have a door or doors extending at least five feet above the bottom of the elevator, and the top shall be covered with suitable protective roofing.
- (186) Every elevator on which any person travels shall ^{Safety catches.} be provided with efficient safety catches capable of holding the elevator and twice the maximum load in any position in the hoistway. When the safety catches are operated through shafts, all the levers and safety catches shall be keyed to the shafts.

Rules Governing Use of Electricity.

- (187) In these Rules,—

(a) "Cut-out" shall mean any device, such as a fuse "Cut-out." or circuit-breaker, by which the electrical con-

tinuity of a conductor may be automatically broken by changes in current or voltage;

"Disconnect-
connector."

- (b) "Disconnecter" shall mean a switch which is intended to open a circuit only after the load has been thrown off by some other means;

"Electrical
Supply
Station."

- (c) "Electrical Supply Station" shall mean any building, room or separate space within which is located electrical supply equipment and which is accessible, as a rule, only to properly qualified persons, and shall include generating stations and substations and generator, storage battery and transformer rooms;

"Grounded."

- (d) "Grounded" shall mean connected to earth or to some extended conducting body which serves instead of earth, and this ground connection may be at one or more points;

"Panel-
board."

- (e) "Panel board" shall mean a single panel containing busses, fuses and switches to control lights, and devices of small individual as well as aggregate capacity, placed in or against a wall or partition and accessible only from the front;

"Recon-
struction."

- (f) "Reconstruction" shall mean replacement of any portion of an existing installation by new equipment or construction, but does not include ordinary maintenance replacements;

"Switch."

- (g) "Switch" shall mean a device for opening or closing or changing the connections of a circuit manually, and in these Rules a "switch" is always to be understood as operated manually, unless otherwise stated;

"Switch-
board."

- (h) "Switchboard" shall mean a large single panel or assembly of panels on which are mounted switches, fuses, busses and usually instruments, and accessible both in front and in rear. Circuits and machinery of relatively large capacity are controlled from such boards;

"Utilization
Equipment."

- (i) "Utilization Equipment" shall mean equipment, devices and connected wiring, which utilize electrical energy for mechanical, chemical, lighting, testing or similar purposes and are not a part of supply equipment;

- (j) "Voltage" or "Volts" shall mean the highest ^{"Voltage,"}
effective voltage between the conductors of ^{"Volts,"}
the circuit concerned, except that in grounded ^{"Voltage to}
multiwire circuits, not exceeding 750 volts ^{Ground."}
between outer conductors, it means the
highest effective voltage between any wire of
the circuit and the ground, and in ungrounded,
low-voltage circuits "voltage to ground" shall
mean the voltage of the circuit;
- (k) "Wire gauge" shall mean the standard known ^{Wire gauge.}
as Brown and Sharpe (B. & S.).

General Rules.

- (188) Where electrical apparatus or machinery is used ^{Competent}
at any mine it shall be in charge of an authorized ^{person in}
person, who shall be qualified by experience to ^{charge.}
handle such apparatus or machinery. Every person
operating or having charge of electrical apparatus
shall have been instructed in his duty and shall be
competent for the work that he is set to do. Repairs,
extensions and changes shall be made to existing
electrical equipment and conductors only by author-
ized persons.
- (189) No person, other than the person authorized by the ^{Supply}
owner, manager, or superintendent, shall enter an ^{stations to}
electrical supply station or interfere with the work- ^{be inaccess-}
ings of any machine, transformer, motor, or apparatus ^{ible to un-}
connected therewith, and when the authorized ^{authorized}
person is not present the door of such room shall be ^{persons.}
kept securely locked.
- (190) All electrical equipment shall be of such construc- ^{General re-}
tion and so installed and maintained as to reduce the ^{quirements.}
life and fire hazard as far as practicable.
- (191) Electrical equipment shall comply with these rules ^{Inspection}
when placed in service, and shall thereafter be ^{and repairs.}
periodically inspected and, when necessary, cleaned.
Defective equipment shall be put in good order or
permanently disconnected. Defective wiring shall
be repaired or removed.
- (192) Electrical utilization equipment as well as generat- ^{Exceptions.}
ing equipment, if enclosed in a separate room which
is inaccessible to unauthorized persons, and when in
service is under the control of a qualified electrical
operator whose attention is not distracted by other

processes, shall be considered as electrical supply station equipment, and such exceptions as are made to the general rules for supply stations shall apply to these installations.

Identifica-
tion of
equipment.

- (193) All electrical equipment shall be suitably identified where necessary for safety. The voltage and intended use shall be shown, where important.

General Grounding Rules.

Circuits to
be grounded.

- (194) All circuits not over 150 volts shall be grounded if exposed to leakage from higher voltage circuits either through overhead construction or through transformers having primary voltage exceeding 750 volts. Three-wire single-phase circuits and three-wire direct-current circuits not exceeding 300 volts between outer conductors shall have the neutral grounded.

Equipment
to be
grounded.

- (195) Electrical equipment shall, when practicable, have the exposed non-current-carrying parts, such as frames of motors, generators, switchboards, cases of transformers, oil switches and instruments and casings or wiring and conductors, permanently grounded:

(a) For all equipment over 150 volts;

(b) For all equipment where metal parts are within reach of exposed grounded surfaces, such as metal frames of other machines, plumbing fixtures, conducting floors or walls (such as damp wood, concrete or rock underground). Grounded surfaces within five feet horizontally of the parts considered, or within eight feet vertically of the floor, shall be considered within reach.

Equipment
and wire
runways.

- (196) The point at which the ground conductor is attached to the equipment or wire runways, shall be readily accessible.

Material
and con-
tinuity of
ground
conductor,

- (197) The ground conductor shall be of copper or other metal which will not corrode excessively under the existing conditions and, if practicable, shall be continuous. Ground connections from circuits shall not be made to jointed piping within buildings, except that water or air piping beyond any point which is liable to disconnection may be used.

- (198) For grounding circuits the ground conductors shall have a carrying capacity equal to that of the circuit and must never be less than No. 6, B. and S. Size of ground conductor.
- (199) For electrical equipment the current-carrying capacity of a ground conductor shall not be less than that provided by a copper wire of the size indicated in the following table. When there is no cut-out protecting the equipment, the size of the ground wire shall be determined by the design and the operating conditions of the circuit.
- | Capacity of nearest automatic cut-out | | Required size ground conductor B. & S. gage. |
|---------------------------------------|-------|--|
| 0 to 200 amperes | ..... | 6 |
| 201 to 500 amperes | ..... | 4 |
| Over 500 amperes | ..... | 2 |
- (200) In portable cord to portable equipment protected by fuses not greater than ten ampere capacity, No. 16 ground wire may be used.
- (201) Ground conductors shall have mechanical protection and insulating guards extending for a distance of not less than eight feet above any ground, platform or floor. If attached to buildings ground conductors shall be supported on insulators and shall be protected by porcelain bushings through floors, partitions or walls. Protecting ground wire.
- (202) Main water or air lines may be used for grounds, provided that connection is made at a point where the pipe is not liable to disconnection for alteration or repairs. Main water or air lines may be substantially bound together for this purpose, but shall, unless connected to a buried piping system of considerable extent, be connected to an artificial ground. Character of ground.
- (203) The ground connection to metallic piping systems shall be made by sweating a ground wire into a lug attached to a suitable clamp and firmly bolting the clamp to the pipe, after all rust and scale have been removed, or by any other equivalent method. Method of connection.
- (204) Artificial grounds shall be located, where practicable, below the permanent moisture level, or failing this at least six feet deep. Each ground shall present not less than four square feet of surface to the exterior soil. Areas where ground water level is close to the surface shall be used where available. Artificial grounds.

Where
separate
ground
conductors
required,

- (205) Ground conductors shall be run separately to the ground (or to a sufficiently heavy grounding bus or system ground cable which is connected to ground at more than one place) from equipment and circuits of each of the following classes: (1) lightning arresters; (2) secondaries connected to low-voltage lighting or power circuits; (3) secondaries of current and potential transformers and cases of instruments on these secondaries; (4) equipment operating in excess of 750 volts; (5) frames of utilization equipment or wire runways other than covered by item (4).

Lightning
arriester
grounds.

- (206) Lightning arrester ground connections shall not be made to the same artificial ground (driven pipe or buried plate) as circuits or equipment, but shall be well spaced, and, where practicable, at least twenty feet from other artificial grounds.

Working Space About Electrical Equipment.

Utilization
equipment.

- (207) Suitable working space shall be provided and maintained about all electrical equipment. Where adjacent to exposed live parts such working spaces shall be so arranged that they will not be used as passageways. The working spaces shall, where practicable, have minimum horizontal dimensions, where adjacent to exposed live parts within eight feet of the floor, as follows: (1) parts above 150 volts to ground, if on one side, 2.5 feet; if on two sides, four feet; (2) parts below 150 volts to ground, if on one side, 1.5 feet; if on two sides, 2.5 feet.

Supply
station
equipment.

- (208) In supply station equipment the following clearances only need be maintained: (1) parts from 300 up to 750 volts, if on one side, not less than 2.5 feet; if on two sides, not less than three feet; (2) parts above 750 volts, if on one side, not less than three feet; if on two sides, not less than five feet.

Guarding or Isolating Live Parts.

Guarding
current-
carrying
parts.

- (209) In supply station equipment, current-carrying parts shall be guarded unless they are maintained at the following distances above the floors which may be occupied by persons:

Voltage of conductors.	Elevation in feet.
300 to 750	7
750 to 2,500	7.5
2,500 to 7,500	8
7,500 to 30,000	9
30,000 to 70,000	10
70,000 to 100,000	12

- (210) All exposed current-carrying parts of electrical equipment such as bus bars, conductors and terminals operating at over 150 volts and not isolated by an elevation of at least eight feet, shall be provided with suitable permanent enclosures or other guards arranged so as to prevent persons or conducting objects from inadvertently coming (or being brought) in contact with the parts in question.
- (211) Where the current-carrying parts at over 150 volts, or in supply stations at over 300 volts to ground, must necessarily be exposed (unguarded) within eight feet, or in supply stations within the limits called for in Rule 209, from the floor line, all surrounding conducting floors shall be covered with suitable insulating platforms, mats or other insulating devices.
- (212) Where the current-carrying parts operate at over 7,500 volts, enclosing or barrier guards shall always be provided, even when insulating mats are also provided.

Storage Batteries.

- (213) Storage batteries in rooms used also for other purposes shall be adequately guarded or enclosed. Means shall be provided, if necessary, to prevent dangerous accumulations of inflammable gas. Batteries whose operating voltage exceeds 50 volts shall be installed in conformity with the general rules covering equipment.

Protection
of storage
batteries.

Transformer Rules.

- (214) Secondary circuits of current transformers shall be provided with means for short-circuiting them which can be readily connected while the primary is energized, and which are so arranged as to permit the removal of any instrument or other device from such circuits without opening the circuits.
- (215) When primaries are above 7,500 volts secondary circuits of current and potential transformers, unless otherwise adequately protected from injury or contact of persons, shall be in permanently grounded conduit.
- (216) The low-voltage circuit of all instrument transformers shall be permanently grounded unless the circuits are installed and guarded as required for the high-voltage circuits of the transformers.

Protecting
instrument
trans-
formers.

Oil
immersed
transformers

- (217) Oil immersed transformers shall not be mounted on or above combustible roofs or attached to any building not of fireproof construction other than a transformer house and if within a building other than a transformer house must be in a fireproof compartment, suitably drained and ventilated to outdoors, the door openings to be provided with not less than six-inch non-combustible sills.

Transformer
stations to
be fireproof.

- (218) Transformer stations, if not entirely of fireproof construction, shall be located at least fifty feet distant from other buildings.

Lightning Arrester Rules.

Inaccessible
to un-
authorized
persons.

- (219) If the operating voltage of the circuit exceeds 750, the lightning arresters shall be made inaccessible to unauthorized persons.

Location.

- (220) Lightning arresters, when installed inside of buildings, shall be located, as far as practicable from all other equipment and from combustible parts of the building.

Provisions
for discon-
necting.

- (221) Lightning arresters on circuits over 7,500 volts and all lightning arresters which may require work to be done upon them from time to time, shall be so arranged, isolated, and equipped that they may be readily disconnected from conductors to which they are connected by air-break manual disconnectors.

Ground
wires.

- (222) Ground wires shall be run as directly as possible and be of low resistance and ample capacity. In no case shall ground wires be less than No. 6 copper wire. Ground conductors for lightning arresters shall not pass through iron or steel conduits unless electrically connected to both ends of such conduits.

Grounding
non-current
carrying
parts.

- (223) All non-current carrying parts of the arresters shall be grounded, unless effectively isolated by elevation, or guarded as required for live parts of the voltage of the circuit to which the arrester is connected and suitably identified as to that voltage.

Guarding
live parts.

- (224) All current-carrying parts of arresters on circuits above 750 volts, unless effectively isolated by elevation, shall be adequately guarded to protect persons from inadvertent contact with them, or from injury by arcing. Guarding shall comply with Rules 210 and 228.

Conductors.

- (225) Conductors shall be suitable for the location, use and voltage and each conductor (except neutral conductors, ground wires, and conductors of circuits, the opening of which may cause special hazard by interruption of service or removal of protection), shall be protected against excessive current by suitable automatic cut-out or by the design of the system. Electrical protection of conductors.
- (226) All conductors normally grounded for the protection of persons shall be arranged without automatic cut-outs interrupting their continuity between the sources of electrical supply and the point at which the ground wire is attached, unless the cut-out opens all the conductors of the system with one operation. Cut-outs omitted.
- (227) All conductors where not protected by conduit or armouring shall have approved insulation and shall be mounted on cleats, porcelain knobs or insulators and shall be separated from contact with floors, walls or partitions by tubes of incombustible insulating material. Insulating conductors.
- (228) All fixed conductors operating at over 150 volts or in supply stations at over 750 volts unless isolated by an elevation of at least eight feet shall be enclosed in grounded metal conduit, grounded metal sheathing or shall be guarded by permanent screens or enclosures. Isolating conductors.
- (229) Bare conductors shall be used only for switchboard, panelboard, storage-battery connections or for open wiring at voltages exceeding 2,400 volts in supply stations or for electrolytic low-voltage furnaces and similar connections, or for trolley wires and other contact conductors. Except at points where permanent ground connections are made such conductors within buildings shall be kept insulated from the ground. Use of bare conductors.
- (230) Temporary wiring and equipment, which is not in compliance with these rules, may be used, but only when under competent supervision, or protected by suitable barriers or warning signs while it or neighbouring wiring is alive and accessible to unauthorized persons. Temporary wiring.

Fuses, Cut-outs, Switches and Controllers.

General
require-
ment of
switches.

- (231) All switches, automatic cut-outs, controllers, starting rheostats, auto starters and other control devices shall be readily and safely accessible to authorized persons; they shall be so located, labelled or marked as to afford means of identifying circuits or equipment supplied through them, and to indicate whether they are open or closed. They shall be so installed, where practicable, that they cannot be closed by gravity and such switches as close by gravity shall be provided with a proper stop block or latch to prevent accidental closing.

Switches
required for
equipment.

- (232) Suitable switches shall be inserted in all circuit leads to generators, motors, transformers, storage batteries, electric furnaces and similar equipment except between parts or pieces of apparatus intended to operate as a unit.

Switches
required in
feeders.

- (233) Suitable switches shall be inserted in all feeder conductors connecting utilization installations to service connections from either overhead or underground lines. These switches shall be readily accessible, and as close as practicable to the point of connection with the overhead or underground lines.

Switches for
temporary
wiring.

- (234) Switches or plug connectors shall be placed in all circuit leads at the point where temporary wiring or portable conductors are connected to the permanent wiring.

Capacity of
switches.

- (235) Switches used otherwise than as disconnectors shall have a rated capacity such as to insure safe interruption, at the working voltage, of the greatest current which they may be required to carry continuously, and shall be marked with the current they can safely interrupt.

Switches
have suffi-
cient rup-
turing
capacity.

- (236) All cut-outs, switches, circuit breakers and other apparatus used for opening or closing an electric circuit shall be of such design as to operate safely on the system from which the circuit is energized.

Discon-
nectors.

- (237) Disconnectors shall be of suitable voltage and ampere rating for the circuit in which they are installed and shall be accessible only to qualified persons. They shall also be protected by signs warning against opening the switch while carrying current in excess of the safe opening limit.

- (238) Means shall be provided so that switches controlling apparatus can be locked or blocked in the open position or plainly tagged to prevent careless closing while work is being done on the equipment unless all live and moving parts of the equipment are in plain sight of the switch. Locking or blocking switches.
- (239) Switches, controllers and rheostats shall be so constructed as to make and maintain good contact. Knife switches shall maintain such alignment under service conditions that they may be closed with a single unhesitating motion. Good contact required on switches.
- (240) Unless a switch, operating on a circuit above 300 volts, makes an air break there shall, if equipment controlled by such switch requires adjustment or repairs while the conductors leading to such switch are still alive, be installed between it and the source of energy supply a suitable air-break disconnecter. When air-break switches needed.
- (241) All manual switches over 150 volts to ground or in supply stations over 300 volts to ground shall have suitable casings or guards protecting the operator from danger of contact with current-carrying parts or being burned by arcing at the switch. Enclosing live parts of switches.
- (242) All switches interrupting circuits over 300 volts shall be operated by means of remote control mechanism or be provided with suitable casings protecting the operator from danger of contact with current-carrying parts, except as provided in Rule 244. The control device for switches shall indicate whether the switches are open or closed. Guarding switches above 300 volts.
- (243) Switches shall, if practicable, be so connected that switch blades will not be alive when in the open position. Connections to switches.
- (244) Where switches, disconnectors, and fuses above 750 volts are ordinarily guarded by covers or enclosed in separate rooms, but must occasionally be operated without such protection, either by removal of the covers or by entrance into the rooms, adequate working space shall be provided about the live parts so that the operator will not be required to bring any part of his body within the following horizontal distances: Working spaces about ordinarily guarded switches above 750 volts.

Voltage of parts.	Distance in feet.
750 to 7,500	1
7,500 to 30,000	2
30,000 to 50,000	3
50,000 to 70,000	4
70,000 to 100,000	5

Switches to be placed before fusible cut-outs.

- (245) On circuits up to 300 volts to ground, where fusible cut-outs are not so arranged that they are necessarily disconnected from all sources of electrical energy before the ungrounded current-carrying parts can be touched, switches shall always be so placed or arranged that opening them will disconnect the fuses from all sources of electrical energy.

Protecting fusible cut-outs above 300 volts.

- (346) Fusible cut-outs above 300 volts to ground shall be in a cabinet or otherwise made inaccessible to all but authorized persons, and switches shall be so placed and arranged that opening them will disconnect the fuses from all sources of electrical energy.

Fuses in fireproof cabinets.

- (247) All fusible cut-outs shall be installed in approved fireproof cabinets.

Capacity of fuses.

- (248) The rated capacity of the fuses shall not exceed the allowable carrying capacity of the conductor.

Switchboards.

Switchboards to be readily accessible.

- (249) Switchboards and panelboards shall have all switches arranged so that the means of control are readily accessible to the operator.

Switchboards to be convenient for operation.

- (250) Instruments, relays or other devices requiring reading or adjustment shall be so placed that the work can be readily performed from the working space provided.

Location and lighting of switchboards.

- (251) Switchboards shall be so placed that the person operating them will not be endangered by machinery or equipment located near the board. Means for adequate illumination shall be provided.

Protecting against short circuiting on switchboards.

- (252) Exposed bare parts of different potentials on any switchboard or panelboard shall be as few as practicable and these shall be effectively separated.

Guarding current-carrying parts of switchboards.

- (253) All switchboards and panelboards having exposed current-carrying parts operating at over 150 volts to ground shall, when practicable, be suitably encased in locked cabinets, screens, or rooms, or other enclosures to make them inaccessible to other than authorized operators. Conducting floors about such boards, and in supply stations about boards having equipment, operating at over 300 volts to ground shall be provided with suitable insulating platforms or mats so placed that no person can inadvertently touch live parts unless standing on the insulating platform or mats.

- (254) Where switchboards or panelboards at voltages below 150 to ground are accessible to other than authorized operators, they shall, where practicable, be enclosed in cabinets or screens as an effective precaution against accidental short circuit at times when no operation of the board necessitates the opening of the cabinet or screen.
- Switch-boards below 150 volts accessible to unauthorized persons.

Motor Control Devices.

- (255) Manually controlled starters for all D.C. motors and for all A.C. motors over five horsepower shall be so designed and the circuits so arranged that they return automatically to the "off" position upon the failure of the energy supply, except where the motors and their starting devices are, during operation, under the supervision of qualified persons and equivalent protection is otherwise provided.
- Motor control devices.
- (256) Each motor must be protected against excessive overload current by cut-out or automatic circuit breaker, and overload device should interrupt the circuit at fifty per centum over normal motor-current rating. An auto starter which disconnects all wires of the circuit automatically under overload when in the running position may be used as circuit breaker.
- Protecting motors against overload.

Illuminating Supply Stations.

- (257) Rooms and spaces shall have good artificial illumination. Arrangement of permanent fixtures and plug receptacles shall be such that the portable cords need not be brought into dangerous proximity of live electrical apparatus. All lamps shall be arranged to be controlled, replaced, or trimmed from readily accessible places.
- Lighting for supply stations.
- (258) A separate emergency source of illumination, from an independent generator, storage battery, lanterns or other suitable source, shall be provided in every station where an attendant is located.
- Emergency lighting for supply stations.

Fire Fighting Appliances.

- (259) Each room or space where an operator is in attendance shall be provided with an adequate approved fire extinguishing appliance conveniently located and conspicuously marked. No chemical appliance which has not been approved for use on live parts shall be placed in any room containing electric apparatus or exposed lines.
- Fire fighting appliances.

Lighting Fixtures.

Guarding
current-
carrying
parts of
lighting
fixtures.

- (260) Electric fixtures, such as lamp sockets and lamp bases, plugs, receptacles, etc., shall be so installed that no current-carrying parts will normally be exposed externally when these parts are within reach of grounded surfaces (see Rules 210, 211 and 212). The high-temperature current-carrying parts of radiant heaters are exempted.

Portable
lamps.

- (261) Portable lamps shall not be connected to circuits operating at over 300 volts to ground.

Portable
conductors
exposed to
injury.

- (262) In locations where exposed to dampness or mechanical injury, portable conductors shall be of reinforced weatherproof cord, and, when necessary, armoured.

Style of
portable
lamps
permitted.

- (263) In locations where exposed to dampness or mechanical injury, portable lamps shall have their sockets enclosed in wood or composition handles, through which the conductor shall be carried, and shall have a substantial wire cage which encloses the lamp. A hook for hanging the lamp shall be attached either to the cage or to the handle.

Trolleys and Portable Apparatus.

Guarding
trolley or
crane
collector
wires.

- (264) Trolley or crane collector wires, whether indoors or out, shall, where practicable, be elevated at least 8 feet above the rail level and be provided with suitable guards so arranged that persons cannot inadvertently touch the current-carrying parts while in contact with the ground or with conducting material connected to the ground.

- (265) In tunnels or under bins or in similar locations where trolley wires are necessarily less than 8 feet above the rail level, the operating voltage shall not exceed 300 and the wires shall be efficiently guarded to prevent accidental contact of person.

Portable
and
pendant
conductors.

- (266) Portable and pendant conductors shall not be installed or used on circuits operating at over 150 volts to ground, unless they are accessible only to persons authorized to approach them. In such cases they shall be of a type suitable to the voltage and conditions.

Cranes and Elevators.

- (267) Readily accessible means shall be provided whereby all conductors and equipment located in or on cars or cranes can be disconnected entirely from the source of energy at a point as near as possible to the trolley or other current collector. Disconnections for cars and cranes.
- (268) A circuit breaker or switch, capable of interrupting the circuit under heavy loads, shall be used unless the current collector can be safely removed, under heavy loads, from the trolley wire. Switch needed on cars and cranes.

Telephone Exposed by Supply Lines.

- (269) Telephone or other signal apparatus which must be handled by persons and which is connected to overhead signal circuits exposed by supply lines over 400 volts to ground shall be protected as follows: Protecting telephone equipment exposed by high voltage.
- (a) By fuses and arresters;
 - (b) All exposed non-current-carrying metal parts shall be permanently grounded;
 - (c) The apparatus shall be installed in such a way that a person using it will be obliged to stand on a suitably insulated platform, in a suitably insulated booth or on other insulating surfaces.
- (270) Telephone or signal apparatus which is connected to a line which parallels a supply circuit of high voltage in such a manner as to be exposed to induced voltage shall be protected by transformers and shall comply with the requirements of Rule 269. Protecting telephone signal equipment exposed to induced voltage

Transmission Lines.

- (271) All electrical supply lines and equipment shall be of suitable design and construction for the service and the conditions under which they are to be operated, and all lines shall be so installed and maintained as to reduce the life hazard as far as practicable. Design and construction of supply lines.
- (272) Conductors and other current-carrying parts of supply lines shall be so arranged as to provide adequate clearance from the ground or other space generally accessible, or shall be provided with guards so as to effectively isolate them from accidental contact of person. Guarding supply lines.

Entrance to
buildings.

- (273) Where supply lines over 300 volts to ground are attached to any buildings, for entrance, they shall be permanently guarded if accessible.

Clearance
required
by supply
lines over
railways.

- (274) Supply lines carried over railways operated by steam, electric or other motive power and on which standard equipment, such as freight cars, is used shall have the style of construction and clearances overhead as called for in the rules of the Board of Railway Commissioners of the Dominion of Canada. Supply lines crossing over railways on which standard equipment is not used and lines crossing over roadway shall have ample clearance for the operating conditions and shall be substantially supported.

Underground.

Restrictions
on use of
motors
under-
ground.

- (275) Except with the written permission of the Chief Inspector, who shall prescribe such conditions as he may deem fit:—

- (a) No motor over 750 volts to ground shall be used underground;
- (b) The voltage supply for electrical traction underground shall not exceed 300;
- (c) No electrical energy higher than 750 volts to ground shall be transmitted underground.

In under-
ground in-
stallations
switch to be
placed at
surface.

- (276) Where electrical energy is taken underground provision shall be made that the current can be cut off, on the surface, close to the point where it is led underground. The cut-off switch or switches shall be situated in a locked building or compartment, and same shall be accessible only to an authorized person or persons.

Fire preven-
tion about
electrical
installations.

- (277) The bases of electric motors, transformers, starting equipment and other electrical apparatus and the compartments in which such are installed shall be of such material and constructed in such manner as to reduce the fire hazard to a minimum. No inflammable material shall be stored or placed in the same compartment with any such equipment or apparatus.

Conduits
required.

- (278) All cables over 150 volts transmitting power underground shall be armoured or enclosed in standard conduit and substantially supported.

- (279) Wires carrying not over 150 volts to ground for lighting and signal circuits shall either be in standard conduits or casings, or suspended from and securely tied to porcelain or glass insulators, so that they do not touch any timbering or metal. On no account shall staples be used. Conduits or insulators for lighting circuits.
- (280) The armouring or casing of cables, mentioned in the two next preceding rules, shall be bonded together so as to be electrically continuous, and shall be connected at some point or points to a satisfactory ground. Groundings of casings.
- (281) All rules governing grounding of electrical apparatus in general work shall apply equally to underground work. Method of grounding.
- (282) All proper precautions shall be taken to prevent electrical signal or telephone wires, whether insulated or not, coming into contact with other electrical conductors. Precautions to protect signal and telephone wires.

Rules Governing Electric Hoists.

- (283) When the inspector has cause to believe that the shaft conveyance operated by any electric hoist is being overloaded he shall have the power to order a test to be made. Testing for overloading.

Damage to Property.

- (284) No person shall wilfully damage, or without proper authority remove or render useless, any fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, ladder, platform, steam-gauge, water-gauge, safety-valve, electrical equipment or other appliance or thing provided in any mine in compliance with this Act. Wilful damage.

General.

- (285) No person under the influence of or carrying intoxicating liquor shall enter any mine or be in the proximity of any working place on the surface or near any machinery in motion. Persons under the influence of or carrying liquor.
- (286) An abstract of the rules and regulations contained in this Act, authorized by the Chief Inspector, shall be posted up in suitable places at the mine or works where the same can be conveniently read and the Abstract of rules to be posted.

owner or agent of the mine shall maintain such abstract, duly posted, and the removal or destruction of the same shall be an offence against this Act. R.S.O. 1927, c. 45, s. 161; 1929, c. 15, ss. 4, 5 and 6. *Amended.*

Payment of Wages.

Prohibition
of payment
of wages at
public
houses.

- 164.—(1) No wages shall be paid to any person employed in or about any mine to which this Part applies at or within any tavern, shop or place where spirits, wine, beer or other spirituous or fermented liquors are sold or kept for sale, or within any office, garden, or place belonging or contiguous thereto or occupied therewith.

Penalty.

- (2) Every person who contravenes or permits any person to contravene this section shall be guilty of an offence against this Act, and in the event of any such contravention by any person whomsoever the owner and agent of the mine in respect of which the wages were paid shall also each be guilty of an offence against this Act, unless he proves that he had taken all reasonable means to prevent such contravention by publishing and to the best of his power enforcing the provisions of this section. R.S.O. 1927, c. 45, s. 162.

Payment
of wages
at least
fortnightly.

- (3) Notwithstanding any agreement to the contrary, every person who performs labour for wages in connection with any mine, mining claim, mining lands, or works connected therewith, shall be paid such wages not less frequently than twice a month. R.S.O. 1927, c. 45, s. 163.

Sale of Liquor Prohibited.

Sale of in-
toxicating
liquor pro-
hibited
within six
miles of
certain
mines.

165. Except in a city, town or village no shop or store for the sale of intoxicating liquor, as defined by any Act for the prohibition or control of the sale or consumption of intoxicating liquor, shall be opened or maintained within six miles of any mine or mining camp where six or more workmen are employed. R.S.O. 1927, c. 45, s. 164.

Damaging Other Claims.

Licenses
not to
damage
other claims.

166. No person or company shall, without right or authority, cause damage or injury to the holder of any other mining property by throwing earth, clay,

stones, or mining material thereon, or by causing or allowing water which may be pumped or bailed or which may flow from a mining claim or other mining property of such person, to flow into or upon such other mining property, and the offender in addition to any civil liability shall incur a penalty of not more than \$10 for every day such damage or injury continues, and in default of payment of the penalty and costs, may be imprisoned for any period not exceeding one month. R.S.O. 1927, c. 45, s. 165. *Amended.*

Party Wall.

- 167.—(1) Except as provided for in subsection 17 of section 163, or unless the owners agree to dispense therewith, in all mining operations there shall be left between all adjoining properties a party wall at least fifteen feet thick (being seven and one-half feet on each property), to the use of which the adjoining owners shall be entitled in common. R.S.O. 1927, c. 45, s. 166 (1) *amended.* Party walls, thickness of.
- (2) The owners shall be entitled to use such party wall in common as roadway for all purposes, and such roadway shall not be obstructed by the throwing of soil, rock or other material thereon, or in any other way, and any person obstructing the same in addition to any civil liability shall incur a penalty of not more than \$10 for every day such obstruction continues. Use in common.
- (3) Any such adjoining owners may, in any case, apply to the Judge, who may make an order dispensing with such party wall or roadway, or providing for the working of any material therein, or otherwise as he may deem just. R.S.O. 1927, c. 45, s. 166 (2, 3). Dispensing with
- (4) When the owner of a mine or mining property has reason to believe that a breach has been made in the party wall between his own and an adjoining property or that a trespass has been committed with respect thereto, the Judge may upon application to him authorize a competent and disinterested person to examine such party wall and for such purpose enter the said mine or mining property with an assistant or assistants and use if necessary the workings and appliances thereof, and the person so appointed shall immediately after such examination report in writing his findings to the Judge. Examination of party wall.

The time when such examination shall be made and the cost thereof and any damage resulting therefrom shall be fixed by the order of the Judge.

Order for
closing
breach in
party wall.

- (5) Where a breach has been made in a party wall of a mine by the owner of an adjoining mine or by his workmen, servants or agents without permission of the owner of such first mentioned mine or the authority of the Mining Court or the Department, the Judge of the Mining Court upon the application of such first mentioned owner may make an order directing the owner of such adjoining mine to permanently close such breach or do such other things as the Judge may deem necessary or advisable to prevent water flowing into the mine of the applicant, and if work has been discontinued in such adjoining mine, or if for any other reason he deems it expedient, the Judge may authorize the applicant to enter upon the adjoining mine and into the works thereof and to erect bulkheads therein and do all such other things or make such use of the works of the adjoining mine as the Judge may deem necessary or advisable for the purpose of protecting the mine of the applicant and his workmen and employees from damage or danger from accumulations or water in the adjoining mine.

Varying
order.

- (6) The Judge for good cause shown and on such terms as may seem just may by subsequent order at any time change supplement, alter, vary or rescind any order made under the authority of this section.

Notice of Accidents.

Accidents,
causing
death,—
notice of.

- 168.—(1) Where, in or about any mine, whether above or below ground, any accident occurs which causes loss of life to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall immediately notify, by telephone or telegraph, the Deputy Minister.

Notice of
serious
injury.

- (2) Where, in or about any mine, whether above or below ground, any accident occurs which causes fracture or dislocation of any of the bones of the body, or any other serious personal injury, to any person employed in or about the mine, the owner, agent, manager or superintendent of the mine shall within three days next after the accident send notice in writing to the Inspector resident in that district on the form prescribed for such purpose.

- (3) "Serious personal injury" shall mean such an injury as in the opinion of the attending physician may result in the injured person being incapacitated for work for at least seven days. ^{"Serious personal injury," meaning of.}

- (4) Where in or about any mine; Accidents.
- (a) any case of overwinding a skip or cage; Over-winding.
- (b) any breakage of a rope or cable used for hoisting; Breakage in cables.
- (c) any inrush of water from old workings or otherwise; Inrush of water.
- (d) any outbreak of fire below ground; or Fire below ground.
- (e) any premature or unexpected explosion; Explosions.

occurs, whether or not loss of life or personal injury is caused thereby, the owner, agent, manager, or superintendent shall, within twenty-four hours next after the occurrence, send notice in writing to the Inspector resident in the district, and shall furnish such particulars in respect thereof as may assist the Inspector in making inquiry into the circumstances. R.S.O. 1927, c. 45, s. 167. Notice to Inspector.

169. Where mining operations have been commenced upon any mine, claim, location of works, or where such operations have been discontinued, or where such operations have been recommenced after an abandonment or discontinuance for a period exceeding two months, or where any change is made in the name of a mine or in the name of the owner or agent thereof, or in the officers of any incorporated company which is the owner thereof, the owner or agent of such mine, claim, location or works shall give notice thereof to the Deputy Minister within two months after such abandonment, discontinuance, recommencement or change, and if such notice is not given the owner or agent shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 168. Notice of changes in connection with the working of a mine or in respect of its officers.

Statistical Returns.

- 170.—(1) For the purpose of their tabulation under the instructions of the Minister the owner or agent of every mine, quarry or other works to which this Act applies shall, on or before the 15th day of Statistical returns by owners and agents of mines.

January in every year, send to the Department a correct return for the year which ended on the 31st day of December next preceding, showing the number of persons ordinarily employed below and above ground respectively, and distinguishing the different classes and ages of the persons so employed whose hours of labour are regulated by this Act, the average rate of wages of each class and the total amount of wages paid during the year, the quantity in standard weight of the mineral dressed, and of the undressed mineral which has been sold, treated or used during such year, and the value or estimated value thereof, and such other particulars as the Minister may by regulation prescribe.

Monthly or quarterly returns.

- (2) The owner or agent of every metalliferous mine shall, if required, make a similar return for the month or quarter at the end of each month or quarter of the calendar year.

Penalty.

- (3) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 169.

Plans of Workings.

Plans to be produced on inspection of mine.

- 171.—(1) On any examination or inspection of a mine the owner shall, if required, produce to the Inspector, or to any other person authorized by the Minister or Deputy Minister, an accurate plan and sections of the workings of the same.

Marking subsequent progress on plan.

- (2) The plan and sections shall show the workings of the mine up to within six-months of the time of the examination or inspection, and the owner shall, if required by the Inspector or other authorized person, cause to be marked on the plan the progress of the workings of the mine up to the time of the examination or inspection, and shall also permit him to take a copy or tracing thereof.

Plan of working mines to be filed.

- (3) An accurate plan on a scale of not more than fifty feet to the inch of every working mine in which levels, crosscuts or other openings have been driven from any shaft, adit or tunnel, and of every mine consisting of a tunnel or shaft fifty feet or more in

length shall be made and a certified copy filed in the Department on or before the 31st day of March in each year, showing the workings of the mine up to and including the 31st day of December next preceding.

- (4) Before a mine or any part of a mine is abandoned, closed down or otherwise rendered inaccessible, all underground plans and sections shall be brought up to date and a certified copy filed in the Department. Plans to be filed before abandonment.
- (5) Failure on the part of the owner or agent of the mine to comply with any provision of this section shall be an offence against this Act. Failure to furnish plans.
- (6) Every such plan shall be treated as confidential information for the use of the officers of the Department and shall not be exhibited nor shall any information contained therein be imparted to any person except with the written permission of the owner or agent of the mine. Plans to be treated as confidential.
- (7) Every owner or agent of a mine, quarry or other works who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against this Act. R.S.O. 1927, c. 45, s. 170, *amended*. Penalty.

Powers and Duties of Inspector.

- 172.—(1) It shall be the duty of every Inspector, and he shall have power,— Powers of Inspector.
- (a) to make such examination and inquiry as he may deem necessary to ascertain whether the provisions of this Act are complied with; and to give notice to the owner or agent in writing of any particulars in which he considers such mine or any portion thereof, or any matter, thing or practice to be dangerous or defective or contrary to the provisions of this Act, and to require the same to be remedied within the time named in such notice; Inquiries as to compliance with Act.
 - (b) to enter, inspect and examine any mine and any portion thereof at any reasonable time by day or night, but so as not to unnecessarily impede or obstruct the working of the mine. Inspection.

Stopping
work when
mine unsafe.

- (c) to order the immediate cessation of work in and the departure of all persons from any mine or portion thereof which he considers unsafe, or to allow persons to continue to work therein on such precautions being taken as he deems necessary;

General
powers for
protection
of miners.

- (d) to exercise such other powers as he may deem necessary for ensuring the health and safety of miners and all other persons employed in or about mines, smelters, metallurgical and mining works.

Annual
report.

- (2) It shall be the duty of every Inspector to make an annual report of his proceedings during the preceding year to the Deputy Minister.

Report to be
laid before
Assembly.

- (3) The annual report shall be laid before the Assembly. R.S.O. 1927, c. 45, s. 171.

Special
report.

- 173.—(1) The Minister may direct an Inspector to make a special report with respect to any accident in or about any mine which has caused loss of life or personal injury to any person.

Inspectors
may take
evidence.

- (2) In conducting the inquiry the Inspector shall have power to compel the attendance of witnesses and the production of books, documents and things, and to take evidence upon oath. R.S.O. 1927, c. 45, s. 172.

Offences.

- 174.—(1) Non-compliance with any written order of an Inspector issued in accordance with section 172 shall be deemed an offence against Part VIII of this Act.
- (2) Failure to give written notice of the completion of any work in accordance with any written order of an Inspector issued under section 172 shall be deemed an offence against Part VIII of this Act.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to amend The Mining Act.

1st Reading

February 7th, 1930

2nd Reading

March 7th, 1930

3rd Reading

March 26th, 1930

MR. MCCREA

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Public Trustee Act.

MR. PRICE

No. 55.

1930.

BILL

An Act to amend The Public Trustee Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Public Trustee Act, 1930.*

Rev. Stat.,
c. 151, s. 3,
repealed. **2.** Section 3 of *The Public Trustee Act* is repealed and the following substituted therefor:

Appoint-
ment of
deputy. **3.—(1)** In the case of the illness or absence of the Public Trustee, or for any other cause, the Lieutenant-Governor in Council may appoint a person to act as the deputy *pro tempore* of the Public Trustee and such deputy, while so acting, shall have all the powers of the Public Trustee.

Permanent
appointment
of deputy. **(2)** A person may be appointed under this section who shall have power to act from time to time.

Vacancy in
office. **(3)** In case of the death of the Public Trustee the deputy may act until his authority is revoked or until a Public Trustee is appointed and assumes the duties of his office.

When
Attorney
General
to act. **(4)** In the case of the illness or absence of the Public Trustee or if the office shall become vacant and no deputy has been appointed, the Attorney General shall be *ex officio* Public Trustee until another appointment is made.

Rev. Stat.,
c. 151,
amended. **3.** *The Public Trustee Act* is amended by adding thereto the following section:

Security by
Public
Trustee not
necessary. **14.** Notwithstanding any rule or practice or any provision of any Act requiring security, it shall not be necessary for the Public Trustee to give any security for the

EXPLANATORY NOTE.

Section 2. This is intended to provide for the appointment of a deputy Public Trustee. As the Act stands at present the Attorney General is *ex officio* Public Trustee in case of a vacancy in the office or during the absence or illness of the Public Trustee. If there is no deputy the Attorney General will still act.

Section 3. This dispenses with security on the appointment of the Public Trustee as executor, administrator, trustee or committee.

due performance of his duty as executor, administrator, trustee, committee, or other office to which he may be appointed by order of the court or under the provisions of any statute.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

An Act to amend The Public Trustee Act.

1st Reading

February 7th, 1930

2nd Reading

3rd Reading

MR. PRICE

1ST SESSION, 18TH LEGISLATURE, ONTARIO
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Public
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necessary. **14.** Notwithstanding any rule or practice or any provision of any Act requiring security, it shall not be necessary for the Public Trustee to give any security for the

due performance of his duty as executor, administrator, trustee, committee, or in any other office to which he may be appointed by order of the court or under the provisions of any statute.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

BILL.

An Act to amend The Public Trustee Act.

1st Reading

February 7th, 1930

2nd Reading

February 14th, 1930

3rd Reading

March 12th, 1930

MR. PRICE

No. 56.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Trustee Act

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act to amend The Trustee Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Trustee Act, 1930*.

Rev. Stat.,
c. 150, s. 35,
amended. **2.** Section 35 of *The Trustee Act* is amended by adding thereto the following subsection:

Patient in
Ontario
Hospital.

(9) Where, however, the person to whom money is due, as mentioned in subsections 4 and 6 of this section, is a patient in a hospital for the insane and the Public Trustee is committee of his estate, the money due shall be paid over to the Public Trustee.

Commence-
ment of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

EXPLANATORY NOTE.

Section 2. Section 35 is the section which provides for the payment into court by trustees or by the debtors of persons who through infancy or lunacy are incompetent to give a discharge. The change made by adding subsection (9) will have the effect of providing for payment to the Public Trustee instead of payment into court,—the Public Trustee being the statutory committee of an inmate of a hospital for the insane where no other committee is appointed.

An Act to amend The Trustee Act.

1st Reading

February 7th, 1930

*2nd Reading**3rd Reading*

MR. PRICE

No. 56.

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Trustee Act

MR. PRICE

TORONTO
PRINTED BY HERBERT H. BALL,
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No. 56.

1930.

BILL

An Act to amend The Trustee Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Trustee Act, 1930*.

Rev. Stat.,
c. 150, s. 35,
amended.

2. Section 35 of *The Trustee Act* is amended by adding thereto the following subsection:

Patient in
Ontario
Hospital.

(9) Where, however, the person to whom money is due, as mentioned in subsections 4 and 6 of this section, is a patient in a hospital for the insane and the Public Trustee is committee of his estate, the money due shall be paid over to the Public Trustee.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.

An Act to amend The Trustee Act.

1st Reading

February 7th, 1930

2nd Reading

February 17th, 1930

3rd Reading

March 12th, 1930

MR. PRICE

1ST SESSION, 18th LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Crown Administration of Estates Act

MR. PRICE

No. 57.

1930.

BILL

An Act to amend The Crown Administration of Estates Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Crown Administration of Estates Act, 1930.*

Rev. Stat.,
c. 104, s. 2,
repealed. **2.** Section 2 of *The Crown Administration of Estates Act* is repealed and the following substituted therefor:

Administra-
tion where
intestate
leaves no
known adult
next-of-kin
in Ontario.

2.—Where any person dies in Ontario intestate without leaving any known next-of-kin living in Ontario or where the only next-of-kin are infants and there is no near relative in Ontario willing and competent to apply for a grant of administration or to nominate some person to apply for the same, the Public Trustee may apply for letters of administration, general or limited, of the estate of such person and any competent court upon such application may grant administration to the Public Trustee for the use and benefit of His Majesty or of such persons as may ultimately appear to be entitled thereto, but where there are adult next-of-kin residing out of Ontario administration may be granted to the nominee of such next-of-kin at the discretion of the court.

Rev. Stat.,
c. 104, s. 3,
subs. 1,
repealed. **3.** Subsection 1 of section 3 of *The Crown Administration of Estates Act* is repealed and the following substituted therefor:

Notice to
Public
Trustee by
registrar of
surrogate
court where
no known
adult next-
of-kin in
Ontario.

(1) Notice of every application for letters of administration of the estate of a person who has died in Ontario intestate and without leaving any known adult next-of-kin living in Ontario shall be given by the registrar of the surrogate court to the Public

EXPLANATORY NOTE.

Section 2. The principal change made by this section is to provide for the application by the Public Trustee for letters of administration where the only next-of-kin are infants and also to provide for the issue of letters of administration to the nominee of next-of-kin who reside out of the Province.

Section 3. This substitutes "adult next-of-kin" for "any known relative" and strikes out the words "or any known relative who can be readily communicated with living elsewhere," because if such relative lived out of Ontario he would not be competent to be appointed administrator.

Trustee before the issue of letters of administration to any other person, and the Public Trustee may within thirty days after the receipt of such notice, apply for a grant of letters of administration as provided in section 2.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

An Act to amend The Crown Administration of Estates Act.

1st Reading

February 7th, 1930

2nd Reading

3rd Reading

MR. PRICE

1ST SESSION, 18th LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Crown Administration of Estates Act

MR. PRICE

No. 57.

1930.

BILL

An Act to amend The Crown Administration of Estates Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Crown Administration of Estates Act, 1930*.

Rev. Stat., c. 104, s. 2, repealed. **2.** Section 2 of *The Crown Administration of Estates Act* is repealed and the following substituted therefor:

Administration where intestate leaves no known adult next-of-kin in Ontario.

2.—Where any person dies in Ontario intestate without leaving any known next-of-kin living in Ontario or where the only next-of-kin are infants and there is no near relative in Ontario willing and competent to apply for a grant of administration or to nominate some person to apply for the same, the Public Trustee may apply for letters of administration, general or limited, of the estate of such person and any competent court upon such application may grant administration to the Public Trustee for the use and benefit of His Majesty or of such persons as may ultimately appear to be entitled thereto, but where there are adult next-of-kin residing out of Ontario administration may be granted to the nominee of such next-of-kin at the discretion of the court.

Rev. Stat., c. 104, s. 3, subs. 1, repealed. **3.** Subsection 1 of section 3 of *The Crown Administration of Estates Act* is repealed and the following substituted therefor:

Notice to Public Trustee by registrar of surrogate court where no known adult next-of-kin in Ontario.

(1) Notice of every application for letters of administration of the estate of a person who has died in Ontario intestate and without leaving any known adult next-of-kin living in Ontario shall be given by the registrar of the surrogate court to the Public

- Trustee before the issue of letters of administration to any other person, and the Public Trustee may within thirty days after the receipt of such notice, apply for a grant of letters of administration as provided in section 2.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

An Act to amend The Crown Administration of Estates Act.

1st Reading

February 7th, 1930

2nd Reading

February 17th, 1930

3rd Reading

March 12th, 1930

MR. PRICE

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Municipal Act.

MR. FINLAYSON

No. 58.

1930.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.,
c. 233, s. 70,
amended.

1. Section 70 of *The Municipal Act* is amended by adding thereto the following subsection:

Saving case
of tenant
filing
certificate
as to
payment
of taxes.

(4b) Where at the annual municipal elections held for 1930 a candidate for any office qualified as a tenant in respect of certain land and filed the certificate as to taxes required by subsection 4a as enacted by section 1 of *The Municipal Amendment Act, 1929*, and was afterwards declared elected, he shall not be held to be disqualified by reason only of its having been found, after the filing of such certificate, that taxes were in arrear on such land.

Commence-
ment of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

EXPLANATORY NOTE.

In 1929 an amendment was made requiring every candidate to file a certificate of the treasurer that all taxes had been paid on land of which he is the owner or tenant.

Some cases have been brought to the attention of the Government where a tenant of land on which he qualified filed the required certificate and it was afterwards found that there were taxes in arrears, as a matter of fact, on the land, and the Bill provides that where such a thing happened at the last election he should not be held to be disqualified.

BILL.

An Act to amend The Municipal Act.

1st Reading

February 11th, 1930.

2nd Reading

3rd Reading

MR. FINLAYSON

1ST SESSION, 18TH LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Municipal Act.

MR. FINLAYSON

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 58.

1930.

BILL

An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.
c. 233, s. 70,
amended.

1. Section 70 of *The Municipal Act* is amended by adding thereto the following subsection:

Saving case
of tenant
filing
certificate
as to
payment
of taxes.

(4b) Where at the annual municipal elections held for 1930 a candidate for any office qualified as a tenant in respect of certain land and filed the certificate as to taxes required by subsection 4a as enacted by section 1 of *The Municipal Amendment Act, 1929*, and was afterwards declared elected, he shall not be held to be disqualified by reason only of its having been found, after the filing of such certificate, that taxes were in arrear on such land.

Commence-
ment of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL.
An Act to amend The Municipal Act.

1st Reading

February 11th, 1930.

2nd Reading

February 14th, 1930

3rd Reading

March 12th, 1930

MR. FINLAYSON

No. 59

1ST SESSION, 18th LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Old Age Pensions Act, 1929.

MR. GODFREY

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 59.

1930.

BILL

An Act to amend The Old Age Pensions Act, 1929.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Old Age Pensions Act, 1930*.

1929, c. 73,
s. 2, cl. b,
amended.

2. The clause lettered *b* in section 2 of *The Old Age Pensions Act, 1929*, is amended by striking out the words "or commission" in the third line, so that the clause will now read as follows:

"Local
authority."

(b) "Local authority" shall mean and include the council of a county, city or town separated from the county for municipal purposes, or a board appointed for the purposes of this Act by the council of such county, city or separated town, and in provisional judicial districts a board or commission appointed by the Lieutenant-Governor in Council for any defined territory for the purposes of this Act.

1929, c. 73,
amended.

3. *The Old Age Pensions Act, 1929*, is amended by adding thereto the following sections:

Local
board.

4a.—(1) A board to be known as "The Local Old Age Pensions Board of (insert name of municipality)" may for the purposes of this Act be appointed by the council of a county or city or of a town separated from the county for municipal purposes, and shall be constituted as provided by the regulations.

Member of
council
may be
appointed.

(2) A member of the council may be appointed as a member of the board and shall be entitled to the same remuneration for his services as he would receive when acting as a member of a committee of the council.

Validity
of former
appoint-
ments.

(3) To remove doubts it is declared that any member of a council heretofore or hereafter appointed to such

Section 2. This changes the definition of "local authority" to enable the municipal council to appoint a local old age pensions board as provided in section 3 of the Bill.

Section 3. "The Municipal World," a paper which has a large circulation among municipal officials, having published an opinion that the appointment to membership in a local authority as defined in the Act disqualifies as a member of the council, the law officers of the Government issued a circular expressing the view that the opinion given in "The Municipal World" was quite incorrect, but to remove any doubt on the subject which may exist in the minds of municipal councils or others, section 3 contains a new section 4a to the Act providing that a member of the council may also be a member of the old age pensions board. The new section 4b, also added by this section merely does away with the inconvenience of sending people out to swear affidavits by allowing the secretary of the local board to take these or any other declarations required.

board is not disqualified from being a member of the council by reason of such appointment and his appointment to such board is hereby confirmed.

Secretary
may
administer
oath.

- 4b. The secretary of every local old age pensions board shall for the purpose of the administration of this Act have power to take declarations and affidavits and to receive evidence under oath in the same manner and to the same extent as a commissioner for taking affidavits.

1929, c. 73,
amended.

4. *The Old Age Pensions Act, 1929*, is further amended by adding thereto the following section:

Burlington
Beach
Commission.

- 13a. For the purposes of this Act the territory known as "Burlington Beach" shall be a separate municipality and the Burlington Beach Commission shall have the powers and perform the duties conferred and imposed upon the local authority by or under the authority of this Act.

1929,
c. 73, s. 15,
repealed.

5.—(1) Section 15 of *The Old Age Pensions Act, 1929*, is repealed and the following substituted therefor:

Provision
for cost.

15. The moneys necessary to meet the old age pensions, payable under this Act and the salaries and expenses necessarily incurred in the administration of this Act by the Provincial Board and by the local authority in a provisional judicial district, shall be paid out of such moneys as may be appropriated by the Legislature for that purpose and in the absence of any such appropriation, shall be chargeable upon and payable out of the Consolidated Revenue Fund, and the salaries and expenses necessarily incurred by the local authority except in a provisional judicial district shall be payable by the municipal corporation.

(2) Subsection 1 shall have effect as from the 1st day of November, 1929.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Section 4. This is necessary because Burlington Beach is separated from the Township of Saltfleet and from the County of Wentworth and is in effect a separate municipality under the administration of the Burlington Beach Commission.

Section 5. This is intended to clarify the situation with regard to the costs of administration of the Act, some doubt having been expressed as to whether the local authorities should charge their expenses to the Province. The question has arisen in only one municipality.

BILL.

An Act to amend The Old Age Pensions
Act, 1929.

1st Reading

February 11th, 1930

2nd Reading

3rd Reading

MR. GODFREY

1ST SESSION, 18th LEGISLATURE, ONTARIO
20 GEORGE V, 1930

BILL

An Act to amend The Old Age Pensions Act, 1929.

MR. GODFREY

TORONTO
PRINTED BY HERBERT H. BALL,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 59.

1930.

BILL

An Act to amend The Old Age Pensions Act, 1929.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Old Age Pensions Act, 1930*.

1929, c. 73,
s. 2, cl. b,
amended.

2. The clause lettered *b* in section 2 of *The Old Age Pensions Act, 1929*, is amended by striking out the words "or commission" in the third line, so that the clause will now read as follows:

"Local
authority."

(b) "Local authority" shall mean and include the council of a county, city or town separated from the county for municipal purposes, or a board appointed for the purposes of this Act by the council of such county, city or separated town, and in provisional judicial districts a board or commission appointed by the Lieutenant-Governor in Council for any defined territory for the purposes of this Act.

1929, c. 73,
amended.

3. *The Old Age Pensions Act, 1929*, is amended by adding thereto the following sections:

Local
board.

4a.—(1) A board to be known as "The Local Old Age Pensions Board of (insert name of municipality)" may for the purposes of this Act be appointed by the council of a county or city or of a town separated from the county for municipal purposes, and shall be constituted as provided by the regulations.

Member of
council
may be
appointed.

(2) A member of the council may be appointed as a member of the board and shall be entitled to the same remuneration for his services as he would receive when acting as a member of a committee of the council.

Validity
of former
appoint-
ments.

(3) To remove doubts it is declared that any member of a council heretofore or hereafter appointed to such

board is not disqualified from being a member of the council by reason of such appointment and his appointment to such board is hereby confirmed.

- 4b. The secretary of every local old age pensions board shall for the purpose of the administration of this Act have power to take declarations and affidavits and to receive evidence under oath in the same manner and to the same extent as a commissioner for taking affidavits. Secretary may administer oath.

4. *The Old Age Pensions Act, 1929*, is further amended by 1929, c. 73, amended. adding thereto the following section:

- 13a. For the purposes of this Act the territory known as "Burlington Beach" shall be a separate municipality and the Burlington Beach Commission shall have the powers and perform the duties conferred and imposed upon the local authority by or under the authority of this Act. Burlington Beach Commission.

5.—(1) Section 15 of *The Old Age Pensions Act, 1929*, is 1929, c. 73, s. 15, repealed. repealed and the following substituted therefor:

15. The moneys necessary to meet the old age pensions, payable under this Act and the salaries and expenses necessarily incurred in the administration of this Act by the Provincial Board and by the local authority in a provisional judicial district, shall be paid out of such moneys as may be appropriated by the Legislature for that purpose and in the absence of any such appropriation, shall be chargeable upon and payable out of the Consolidated Revenue Fund, and the salaries and expenses necessarily incurred by the local authority except in a provisional judicial district shall be payable by the municipal corporation. Provision for cost.

(2) Subsection 1 shall have effect as from the 1st day of November, 1929.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

An Act to amend The Old Age Pensions
Act, 1929.

1st Reading

February 11th, 1930

2nd Reading

March 10th, 1930

3rd Reading

March 25th, 1930

MR. GODFREY
